

PAUL E. NEWTON
CONSULTING ENGINEER
1418 Blue Lakes Blvd. No.
Twin Falls, Idaho

NORTH

SCALE: 1"=200'

IDAHO POWER
PROPERTY
CORNER STONE
FOUND

POINT OF
BEGINNING

97.71'
N88°06'E

74.57'
N2°43.9'W

923.18'
N80°16'E

951.32'
N65°32'W

Approx. Point
of Diversion

EAST 1/4
CORNER
SECTION 2

TRoot

Rearing

Ponds

882.40'
S16°43.8'W

614.55'
N10°40.4'W

441.23'
S81°01'W

114.55'
N58°42.5'W

Point of Return

98.83'
N21°54.2'W

ENGINEER'S CERTIFICATE

I hereby certify that I am a Registered Engineer
in the State of Idaho, and that I have surveyed the
property shown hereon.



May 25, 1967

36-7004

Affidavit of Publication

State of Idaho, }
County of Gooding } SS.

Thomas Muller, 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 3rd

day of August, 1967, and the date of the last publica-

tion was on the 10th day of August, 1967.

Thomas D. Muller

Subscribed and sworn to before me this 23

day of August, 1967.
(SEAL)

J. LaRoe Hendrix
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 24 24

Number of Insertions 1 1

Lines at 14c 336

Lines at 10c 2.40

TOTAL COST \$5.76

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE
For Water
Clear Lakes Trout Co.
PLAINTIFF ATTORNEY Dr.

No. 36-7004
DEFENDANT

PLAINTIFF

Dept. of Reclamation
BILL TO
107 State House
Boise, Idaho
(Certified Bill)

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Clear Lakes Trout Co., Inc. has on July 21, 1967 applied for permit to (divert) 75 cubic feet per second of water from Clear Lake Springs under application No. 36-7004. Water will be diverted by ditches and diversion dam within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M., Gooding County and is to be used from January 1 to December 31 for trout propagation in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2, T. 9S, R. 14E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. Keith Higginson
State Reclamation Engineer

(Idaho Code, (Rev. Statutes) 1967)
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertion 10c

No. 65
SEP 8 1967

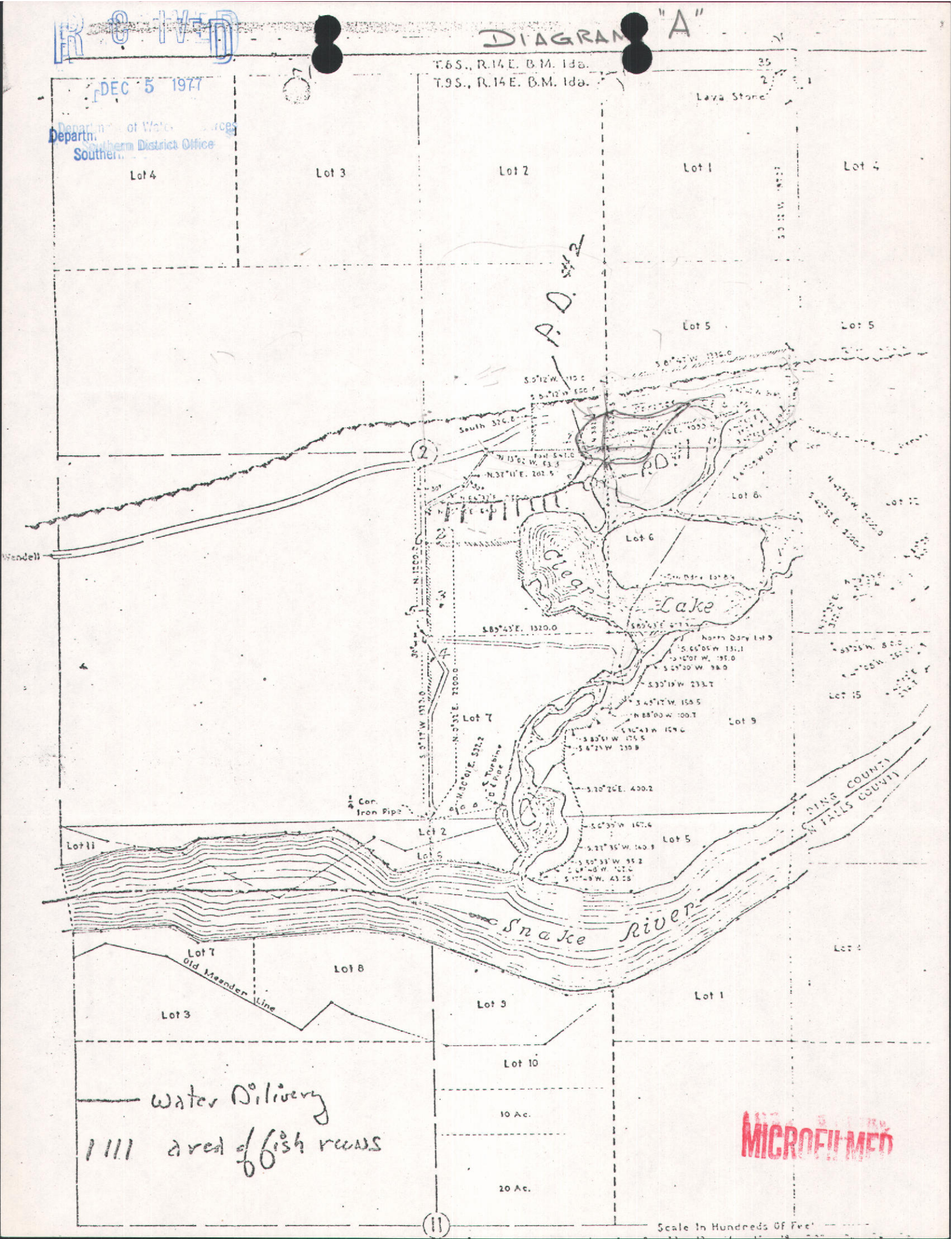
Department of Reclamation

DIAGRAM "A"

T.6S., R.14E. B.M. 1da.
T.9S., R.14E. B.M. 1da.

DEC 5 1977

Department of Water Resources
Southern District Office



Water Delivery
1111 Acre of fish runs

MICROFILMED

Scale in Hundreds of Feet



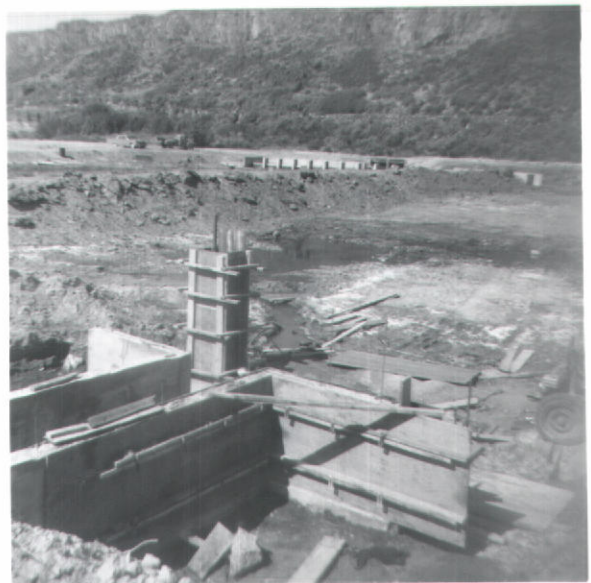
2001 3/11/58



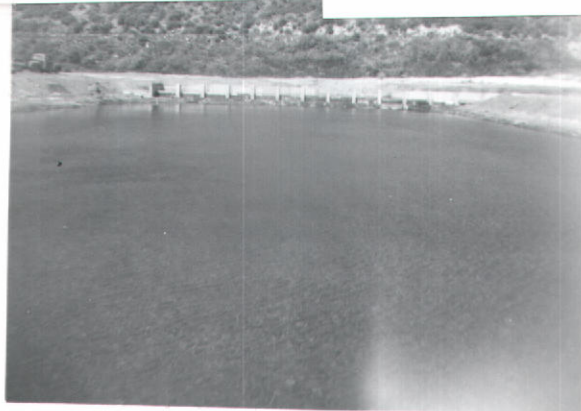
2001 3/11/58



2001 3/11/58



2001 3/11/58



2001 3/11/58

36-7004

RECEIVED

APR 23 2002

Department of Water Resources

2002 APR 22 PM 4:12

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

) ORDER OF AMENDED PARTIAL DECREE
) FOR WATER RIGHTS 36-07004 & 36-02659
)
)
)
)

I.

PROCEDURAL BACKGROUND

A *Special Master's Report and Recommendation* was filed on March 3, 1998, in the above captioned subcases. On April 28, 1998, a *Motion to Alter or Amend* was filed on the issue of facility volume. Claimant Clear Lakes Trout Company, Inc. ("Clear Lakes"), filed a *Motion to Alter or Amend* on May 8, 1998, regarding the issues of General Provision 5 and points of diversion.

On December 29, 1999, the SRBA District Court issued a decision on *Order on Challenge (Consolidated Issues) of "Facility Volume" Issue and "Additional Evidence" Issue*. Partial decrees were issued in the above-captioned subcases but were subsequently rescinded because of the remaining *Motion to Alter or Amend* filed by Clear Lakes. Clear Lakes was the only remaining party to the subcase.

On April 15, 2002, the Special Master issued an *Amended Order Granting in Part Clear Lakes Motion to Alter or Amend and Second Amended Special Masters Report*.

On April 16, 2002, Clear Lakes filed a *Motion to Expedite Issuance of Partial Decrees* seeking to have the partial decrees issued on an expedited basis to have the partial decrees issued prior to the organizational meeting for a water district affecting the subject rights. In furtherance of the *Motion* Clear Lakes waived its right to file a Notice of Challenge.

On April 22, 2002, a hearing was held on the *Motion* to determine whether the remark contained in the point of diversion element regarding the source for the water rights was consistent with the holding in subcases 36-02708 and 36-07218 involving water rights owned by Clear Springs Food, Inc. ("Clear Springs"). In subcases 36-02708 and 36-07218 the SRBA

ORDER OF PARTIAL DECREE FOR WATER RIGHTS 36-07004 AND 36-02659

G:\36ORDERS\07004 and 02659.order of pd.doc

Page 1

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JUN 05 2002

District Court held, and the Idaho Supreme Court affirmed, that the above-captioned claims and Clear Springs' water rights 36-02708 and 36-07218 shared a common source for purposes of administration. At the hearing, the Court inquired of a representative of the Idaho Department of Water Resources, as the Court's independent expert, whether based on the existing conditions of the diversion works, the remark regarding point of diversion and source is consistent with the holding regarding Clear Springs' water rights.

II.

FINDINGS

THEREFORE, based on the foregoing, the Court makes the following findings:

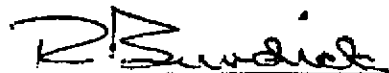
1. That Clear Lakes is the only party to subcases 36-02004 and 36-02659.
2. That because a *Special Master's Report and Recommendation* was previously issued further parties are precluded from entering the subcases by filing a *Motion to Alter or Amend* to the April 15, 2002, *Amended Recommendation*. *SRBA AOI Rules of Procedure* § 13 b. ("no second Motion to Alter or Amend may be filed on the decision granting or denying a Motion to Alter or Amend").
3. That Clear Lakes has waived its right to file a Challenge in the above-captioned subcases.
4. That the partial decrees herein issued are not inconsistent with this Court's prior holding in subcases 36-02708 and 36-07218.
5. That pursuant to I.R.C.P. 53(e)(2) and *AOI*, § 13 f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

III.

ORDER

Therefore, IT IS ORDERED that water rights 36-07004 and 36-02659 are hereby decreed as set forth in the attached *Amended Partial Decrees* Pursuant to I.R.C.P. 54(b).

DATED 4-22-02



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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JUN 05 2002

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER OF AMENDED PARTIAL DECREE FOR WATER RIGHTS 36-07004 AND 36-02659** was mailed on 4/22/02 with sufficient first-class postage to the following:

Clear Lakes Trout
Represented by:
William F Ringert
PO Box 105
Hammett, ID 83627

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Deputy Clerk

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

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-07004

2002 APR 22 PM 4:12
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: CLEAR LAKES TROUT
1301 VISTA AVENUE
BOISE, ID 83705

SOURCE: SPRINGS TRIBUTARY: CLEAR LAKES

QUANTITY: 75.00 CFS

PRIORITY DATE: 07/21/1967

POINT OF DIVERSION: T09S R14E S02 LOT 05 (SWSENE) Within Gooding County
LOT 05 (SESENE)

THIS WATER RIGHT IS DIVERTED THROUGH A SPRING-FED DIVERSION POOL
KNOWN AS THE "EASTERN POOL," AND THROUGH PIPES WHICH DIVERT WATER
FROM SPRINGS THAT ARE TRIBUTARY TO THE EASTERN POOL, ALL OF WHICH
ARE LOCATED IN A PORTION OF GOVERNMENT LOT 5 KNOWN AS THE
SWSENE AND SESWSENE, T09S, R14E, SECTION 2. A PORTION OF WATER
RIGHT NO. 36-2659 IS ALSO DIVERTED THROUGH THE EASTERN POOL. ALL
WATER DIVERTED IS FROM THE SOURCE IDENTIFIED IN THE SOURCE
ELEMENT OF THIS WATER RIGHT, LISTED ABOVE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	75.00 CFS

PLACE OF USE:	Fish Propagation	Within Gooding County
	T09S R14E S02 LOT 05 (SENE)	LOT 06 (NESE)
	LOT 08 (NESE)	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

R. Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

JUN 05 2002

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

AMENDED

In Re SRBA)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 36-02659

2002 APR 22 PM 4:12

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: CLEAR LAKES TROUT
1301 VISTA AVENUE
BOISE, ID 83705

SOURCE: SPRINGS TRIBUTARY: CLEAR LAKES

QUANTITY: 100.00 CFS

PRIORITY DATE: 06/23/1966

POINT OF DIVERSION: T09S R14E S02 SWSENE Within Gooding County
LOT 05 (SESENE)
LOT 05 (SWSENE)

THIS WATER RIGHT IS DIVERTED THROUGH A COMBINATION OF TWO
ADJACENT SPRING-FED DIVERSION POOLS: (1) A DIVERSION POOL KNOWN
AS THE "WESTERN POOL" LOCATED IN THE S 1/2 SWSENE AND THE S 1/2
SWSENE, T09S, R14E, SECTION 2; AND (2) A DIVERSION POOL KNOWN AS
THE "EASTERN POOL" LOCATED IN A PORTION OF GOVERNMENT LOT 5 KNOWN
AS THE SWSSENE AND SESWSENE, T09S, R14E, SECTION 2. BOTH POOLS
DIVERT WATER FROM THE COMMON SOURCE IDENTIFIED IN THE SOURCE
ELEMENT OF THIS WATER RIGHT, LISTED ABOVE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	100.00 CFS

PLACE OF USE: Fish Propagation Within Gooding County
T09S R14E S02 LOT 05 (SENE) LOT 06 (NESE)
LOT 06 (NESE)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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JUN 05 2002

RECEIVED

MAY 10 2000

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase Nos. 36-07004 & 36-02659
) (Clear Lakes Trout Co., Inc.)
Case No. 39576)
) ORDER VACATING PARTIAL
) DECREES AND RECOMMITTING
) SUBCASES TO SPECIAL MASTER
) DOLAN

PROCEDURAL BACKGROUND

1. On April 10, 2000, a *Partial Decree* was entered in each of the above-entitled subcases. The partial decrees were entered following this Court's ruling on a challenge filed in the above-captioned subcases on issues of "facility volume" and "additional evidence." See *Order on Challenge (Consolidated Issues) of "Facility Volume" Issue and "Additional Evidence" Issue*, subcase no. 36-02708 et al. (Dec. 29, 1999).
2. Following entry of the partial decrees, it came to the Court's attention that previously on August 19, 1998, Special Master Dolan issued an order staying pending motions to alter or amend filed in the above-captioned subcases on the issues of "conjunctive management" and "points of diversion." See *Order Vacating Status Conference and Temporarily Staying Subcases*, subcase nos. 36-02659, 36-07004, 36-07080, 36-07731 (Aug. 19, 1998). The issues were stayed pending the issuance of the Special Master's Report in subcases 36-02708 and 36-07218 consisting of claims filed by Clear Springs Foods, Inc., pending before Special Master Haemmerle and which involved overlapping issues. Although, the issue of conjunctive management is proceeding as a

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JUN 05 2002

basin-wide issue, the issues regarding "points of diversion" in the above-captioned subcases have not yet been heard by Special Master Dolan.

3. On April 24, 2000, claimant, Clear Lakes Trout Co., Inc., filed a *Motion to Stay Partial Decrees*, also bringing to the Court's attention that the pending motion had not been heard or otherwise resolved. On May 8, 2000, Clear Lakes Trout Co., Inc., also filed a supporting brief explaining the procedure of the two subcases.

4. Accordingly, the partial decrees entered in the above-captioned subcases were issued in error.

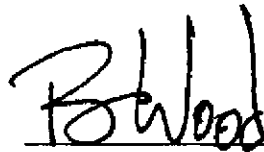
ORDER

Therefore; IT IS HEREBY ORDERED for the reasons set forth above, that the *Partial Decree* entered in subcase 36-07004 on April 10, 2000, and the *Partial Decree* entered in subcase 36-02659 on April 10, 2000, are hereby vacated.

IT IS FURTHER HEREBY ORDERED that the two subcases are recommitted to Special Master Dolan for further proceedings consistent with this Order.

IT IS SO ORDERED.

DATED: May 9, 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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JUN 05 2002

CERTIFICATE OF SERVICE

I hereby certify that copies of the **ORDER VACATING PARTIAL DECREES AND RECOMMITTING SUBCASES TO SPECIAL MASTER DOLAN** were mailed on May 9, 2000, to the following:

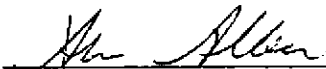
Idaho Department of Water Resources
Document Depository
PO Box 83720
Boise, ID 83720-0098

United States, Department of Justice
Environment & Natural Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Daniel Steenson
Charlie Honsinger
Ringert Clark Chtd
PO Box 2773
Boise, ID 83701-2773

Norman Semanko
Rosholt Robertson & Tucker
PO Box 1906
Twin Falls, ID 83303

Josephine Beeman
Dana Hofstetter
Beeman & Hofstetter
PO Box 1427
Boise, ID 83701-1427


Deputy Clerk of the Court

CERTIFICATE OF MAILING

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JUN 05 2002

RECEIVED

APR 11 2000

Department of Water Resources

2000 APR 10 AM 10:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

)

ORDER OF PARTIAL DECREE

)

Case No. 39576

)

For Water Right 36-07004

)

The Notice of Challenge filed in the above subcase having been heard and ruled upon, IT IS
THEREFORE ORDERED that water right 36-07004 is hereby decreed as set forth in the attached
Partial Decree Pursuant to I.R.C.P. 54(b).

IT IS SO ORDERED.

DATED APR 10 2000



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

Page 1

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JUN 05 2002

RECEIVED

APR 11 2000

Department of Water Resources

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07004

200 APR 10 AM 10:19
FILED
TWIN FALLS CO., IDAHO

NAME & ADDRESS: CLEAR LAKES TROUT CO INC
1301 VISTA AVE
BOISE ID 83705

SOURCE: SPRINGS TRIBUTARY: CLEAR LAKES

QUANTITY: 75.00 CFS

THIS RIGHT AND RIGHT NO. 36-02659 IS LIMITED TO THE TOTAL
COMBINED RATE OF DIVERSION OF 175 CFS.

PRIORITY DATE: 07/21/1967

POINT OF DIVERSION: T09S R14E S02 SESWNE Within GOODING County
LOT 5 (SWSENE)
LOT 5 (SESENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	FISH PROPAGATION	01-01 12-31	75.00 CFS

PLACE OF USE: FISH PROPAGATION Within GOODING County
T09S R14E S02 Lot 5 (SENE) Lot 6 (NESE) Lot 8 (NESE)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

B Wood

BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07004

PAGE 1
MAR-13-2000

MICROFILMED

JUN 05 2002

• •

This
Right has been
Decreed in the
SRBA.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

JAN 16 1973

APPLICATION FOR EXTENSION OF TIME

Department of Water Administration

State of Idaho)
County of Ada)

Permit No. 36-7004

Clear Lakes Trout Co., Inc. of 1340 Vista Boise, Idaho 83705
(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. 36-7004.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before February 1,, 19 73.

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

We have constructed 101 raceways and a diversion system with a capacity of 175 cfs. Hatchery building and processing facility have also been built. Water has been diverted to all raceways.--

Approximately
Costing \$ 300,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: to complete the beneficial use under this and permit 36-2659 at the same point of time as they are one project and should be evaluated together--Also, we need more time to expand the present Beneficial use.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to September 16, 19 77.
Clear Lakes Trout Co., Inc.
Edell M. Hardy
(signature) *

Subscribed and sworn before me this 16 day of Jan., 19 73.

seal

My commission expires 2-18-1974

(notary public)

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 36-7004 to September 16, 1977.

Witness my hand this 22 day of January, 19 73.

R. Keith Higgins
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

36 7004

JUN 22 1971
Department of Water Administration

Permit No. 36-7004

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-7004, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 SE 1/4, Sec. 2, T. 9 S,
R. 14 E, B.M. Other points of diversion SE 1/4 NE 1/4, Sec. 2, T. 9 S, R. 14 E, B.M.

mo. - day mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

[illegible]

36 7014

Scale: 2 inches equal 1 mile

Receipt No. 6719

approve the above application for amendment for Permit No. 36-7004.

Director

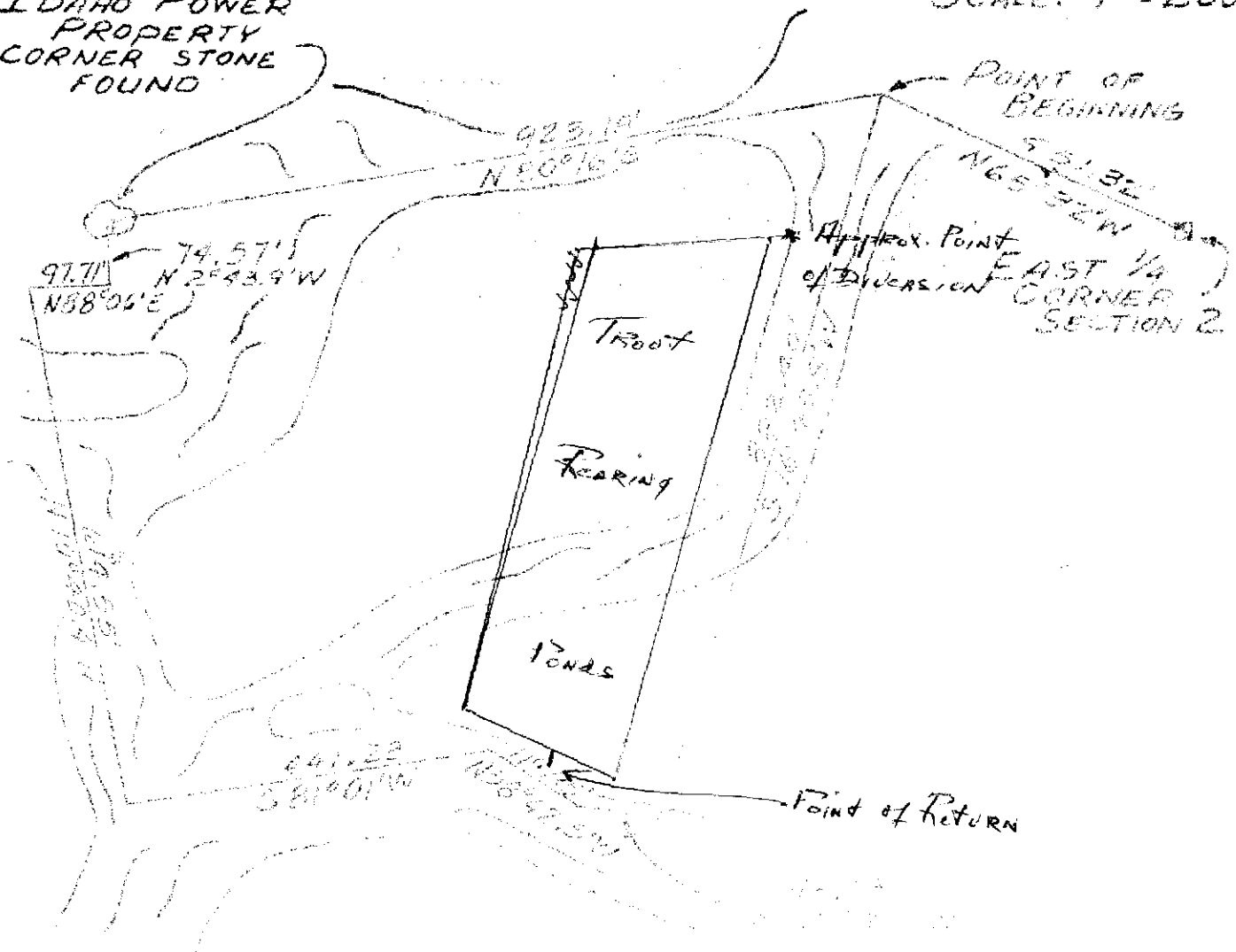
~~SECRET~~

PAUL E. NEWTON
CONSULTING ENGINEER
1418 Blue Lakes Blvd. No.
Twin Falls, Idaho

NORTH

SCALE: 1" = 200'

IDAHO POWER
PROPERTY
CORNER STONE
FOUND



ENGINEER'S CERTIFICATE

I hereby certify that I am a duly licensed engineer in the State of Idaho, and that I have surveyed the property shown herein.

May 25, 1967

36-7004

Please address all correspondence in connection with this application to:

* EARL M. HARVEY
* 1001 VISTA AVE.
* Boise Idaho
* 83705

Identification No.

36-7004

Application No.

41961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Clear Lakes Trout Co., Inc.
post office address * Route 4, Buhl, Idaho

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

3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 9 S
Range 14 E B.M. Feeding County; additional points of diversion if any:

b. If water is not consumed, it will be discharged into Clear Lakes at a point in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 9 S Range 14 E B.M.

4. Quantity to be appropriated:

a. 75 cubic feet per second and/or

b. _____ acre feet per annum will be stored.

5. Water will be used for the following purposes:

Trout Propagation purpose from Continuous Yearly use (both dates inclusive)

_____ purpose from _____ to _____ (both dates inclusive)

_____ purpose from _____ to _____ (both dates inclusive)

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

Diversion by Ditch to Feeding Ponds - Concrete, Rock and Earth Diversion Dam

b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: _____

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

b. Estimated construction cost is \$ 15,000.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 9 S
Range 14 E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Trout Feeding

36-7004

[illegible]

10. Remarks -

applicant to make this filing -

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

b. Who owns the land to be irrigated or place of use? least 2 of property with owner to purchase from George Bush voter, 01

9. a. Who owns the property at the point of diversion Deer Lakes Irrig Co. Inc. Case 99

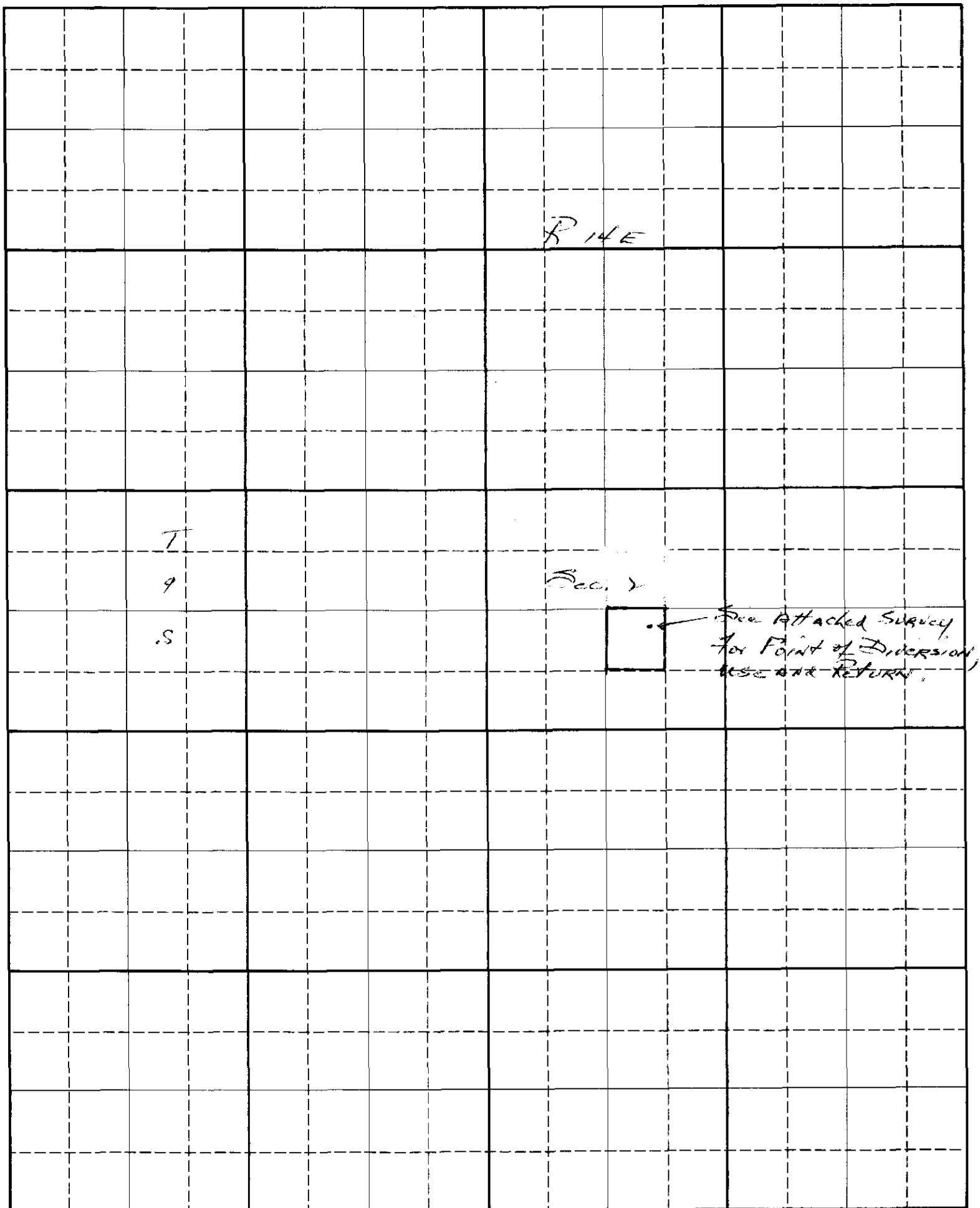
Have

c. Describe any other water rights used for the same purposes.

Total number of acres to be irrigated-

[illegible]

11. Map of proposed project:



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.

Clear Lake Trout Co., Inc.
 By Charles H. Hargis - Treasurer
 (Applicant)

36-7004

Figure 1

Affidavit of Publication

State of Idaho, }
County of Gooding } SS.

James Miller, 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 3rd

day of August, 1967, and the date of the last publica-

tion was on the 10th day of August, 1967.

James O. Miller

Subscribed and sworn to before me this 23

day of August, 1967
(SEAL)

J. LaRue Hendrix
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice..... 24 24

Number of Insertions..... 1 1

Lines at 15c 336

Lines at 10c 240

TOTAL COST \$5.76

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE
For Water
Clear Lakes Trout Co.
PLAINTIFF ATTORNEY Dr.

No. 36-2004
DEFENDANT

PLAINTIFF

Dept. of Reclamation
BILL TO
107 State House
Boise, Idaho
(Certified Bill)

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Clear Lakes Trout Co., Inc. has on July 21, 1967 applied for permit to divert 10 cubic feet per second of water from Clear Lake Springs under application No. 36-2004, Water will be diverted by ditches and diversion dam within the NW 1/4 Sec. 2 T. 18, R. 14E, B.M., Gooding County and is to be used from January 1 to December 31 for trout propagation in NW 1/4 Sec. 2 T. 18, R. 14E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. Keith Higginson
State Reclamation Engineer

(Idaho Code, (Rev. Statutes)	41-42
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive insertion	10c

No. 65

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7004 Priority July 21, 1967 Amount 75.0 cfs

THIS IS TO CERTIFY, that CLEAR LAKES TROUT CO., INC.
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 36-7004 issued pursuant to Application for Permit dated July 21, 1967,
and has submitted proof to the Department of Water Resources on September 9, 1977,
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 180.0 cfs of water from Clear Lakes Springs,
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish Propagation	from <u>January 1</u> to <u>December 31</u>	at <u>75.0</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 75.0 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2,
Twp. 9S, Rge. 14E, B.M., 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	14E	2				X									X				

Total number of acres irrigated _____

A measuring device of a type approved by the Department shall
be maintained as part of the diverting works.

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 79.

Director

STATEMENT RENDERED EVERY THIRTY DAYS
GOODING COUNTY LEADER
 AND GOODING INDEPENDENT COMBINED
 P. O. BOX 56

One Newspaper • One Coverage • One Cost

RECEIVED
 Account of

Gooding, Idaho, Sept. 6, 1967

SEP 8 1967 State of Idaho
 Dept. of Reclamation
 Department of Reclamation
 107 State House
 Boise, Idaho

ADVERTISING—								
Weeks of Month	1st	2nd	3rd	4th	5th	Total	Rate	Cost
DISPLAY, Col. Inches								

JOB PRINTING AND SUPPLIES

Previous Balance

Aug. 3, 1967 - Legal Notice - Notice of Application for Water
 No. 36-7004 - Clear Lakes Trout Co.
 2 1/2 Lines 2 times @ 14¢ and 10¢ \$ 5.76
 1st. Pub. 8/3/67
 Last. Pub. 8/10/67

" I hereby certify that the foregoing account is correct and
 just, that the services were actually rendered as charged and
 we have not received payment therefor.

Date 9/6/67

SIGNED BY : Mrs. Frank Stone
Bookkeeper

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JUN 9 5 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 11, 1979

Earl M. Hardy
1340 Vista Ave.
Boise, Idaho 83705

Dear Mr. Hardy,

RE: Permit No. 36-7004

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

Sincerely,

Jean Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

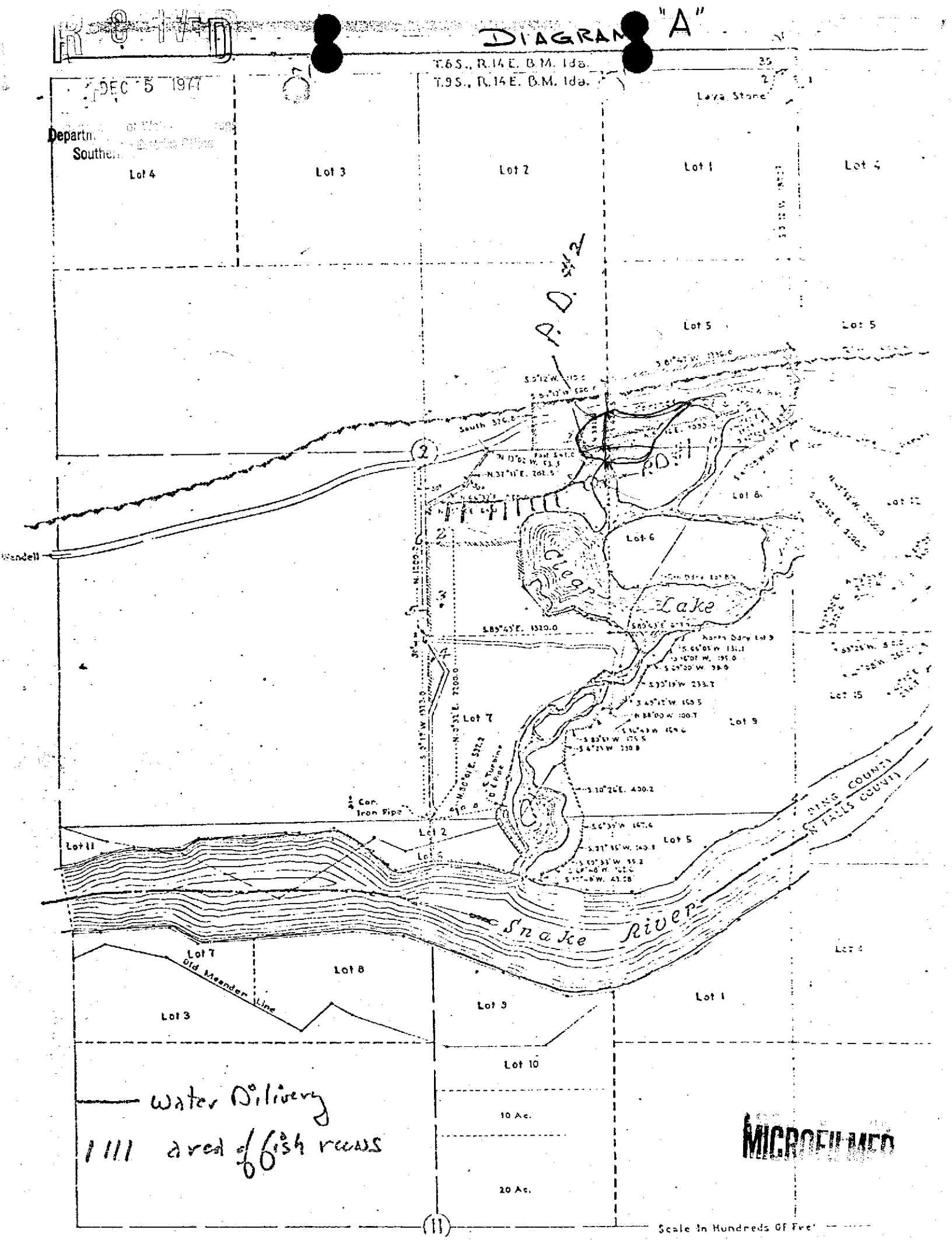
MICROFILMED

DIAGRAM "A"

T.6S., R.14E. B.M. 138.
T.9S., R.14E. B.M. 18a.

DEC 5 1947

Departn. of Fish & Game
Southern

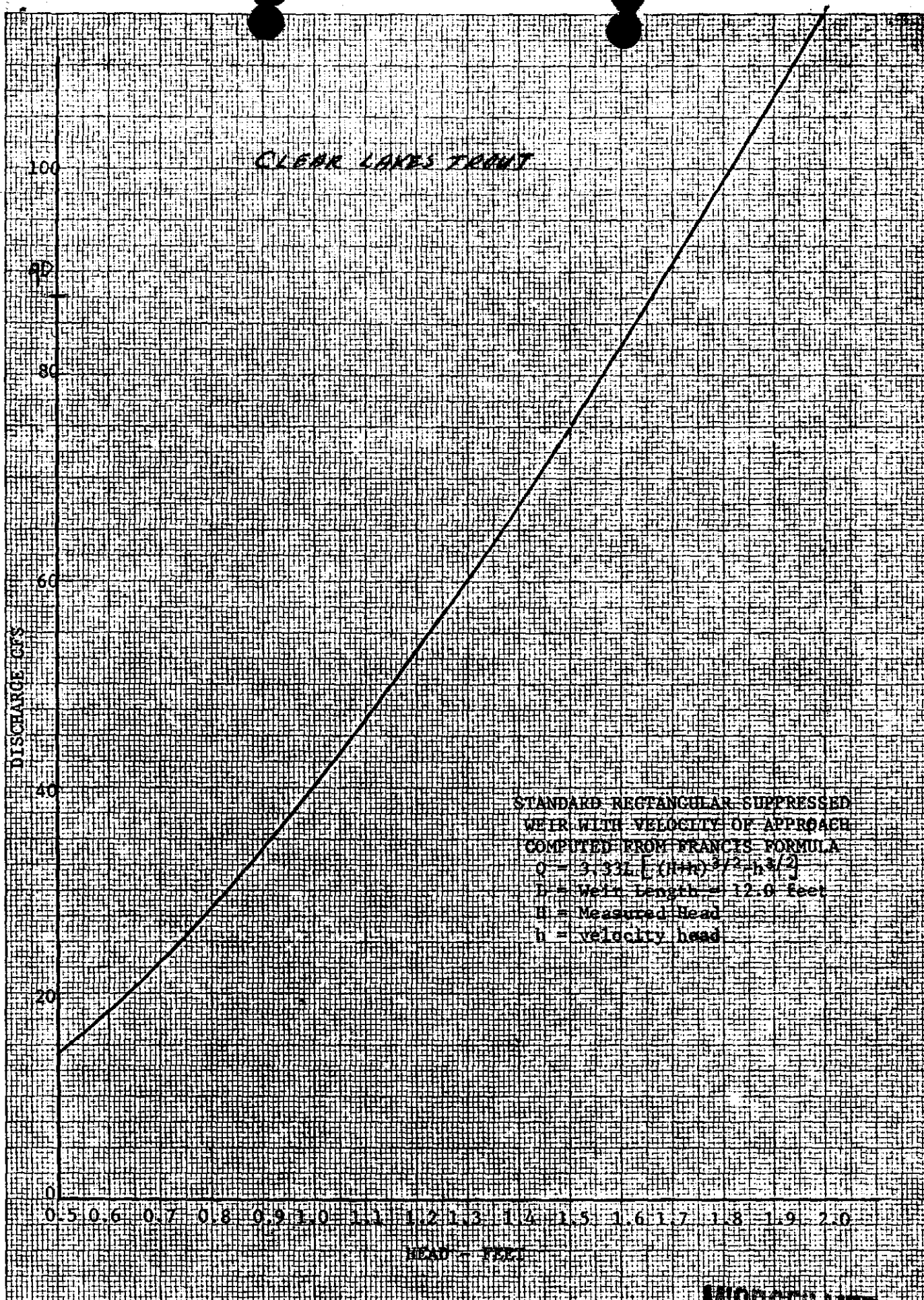


MICROFILMED

Scale in Hundreds of Feet

K&E 10 X 10 TO THE CENTIMETER 46 1510
MADE IN U.S.A.
KUPFFEL & ESSER CO.

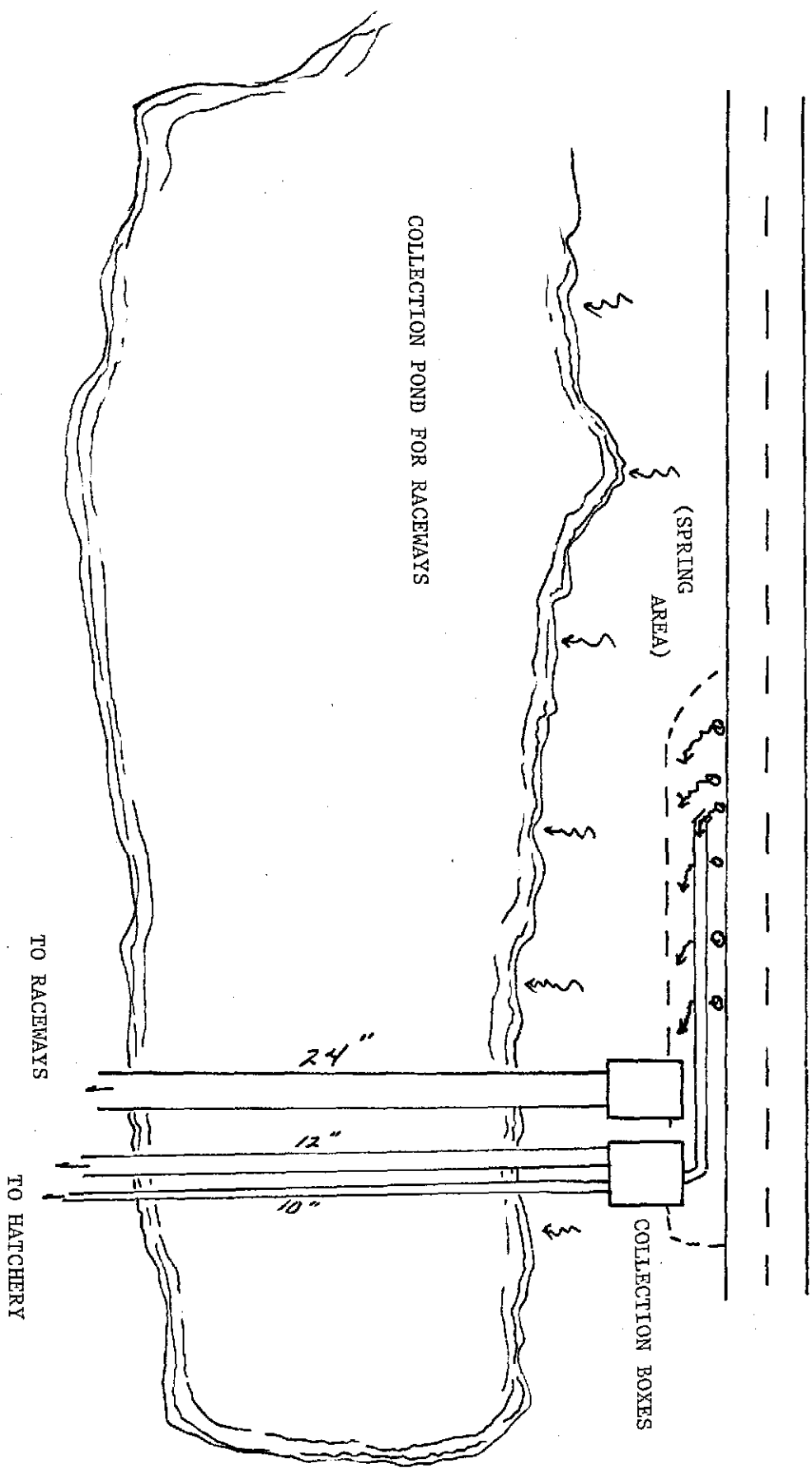
②
0.875 - 72.5



MICROFILMED
36-7004

A

(Lot 5), S 22° NE $1/4$, Sec. 2, Twp. 9S, Rge. 14E., B.M.

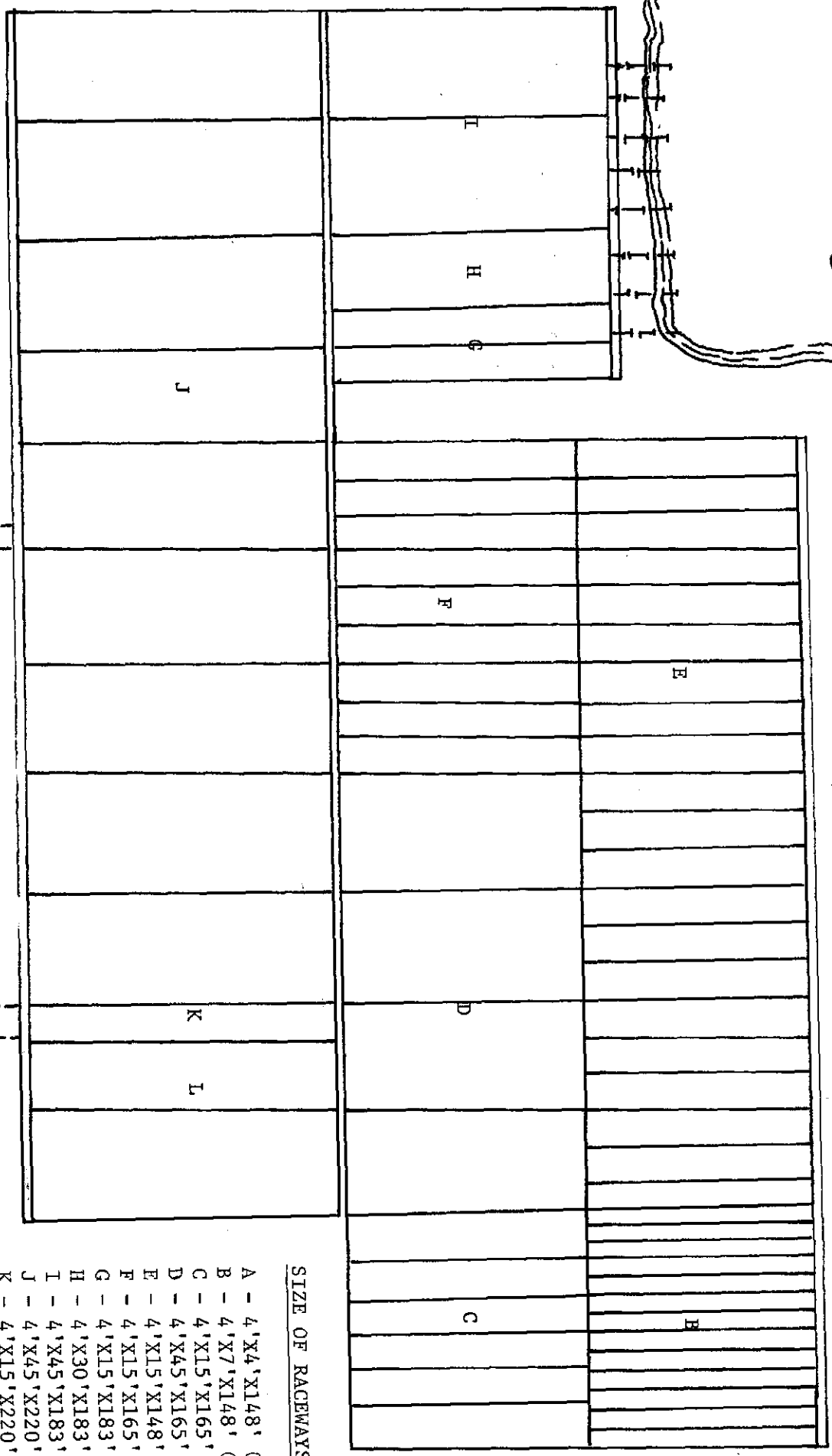


Sheet 1

MICROFILMED

INLET POND

(3) PIPES FROM SPRINGS

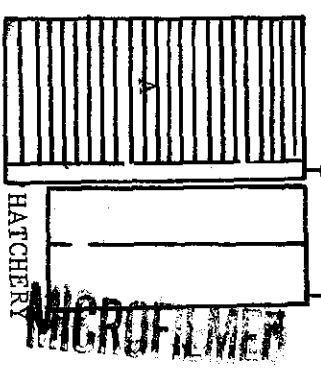


SIZE OF RACEWAYS

HATCHERY

- | | |
|---------------------|----------------|
| A - 4'X4'X148' @32 | Hatching Trays |
| B - 4'X7'X148' @12 | 2'X2'X20' @30 |
| C - 4'X15'X165' @6 | |
| D - 4'X45'X165' @4 | |
| E - 4'X15'X148' @21 | |
| F - 4'X15'X165' @9 | |
| G - 4'X15'X183' @2 | |
| H - 4'X30'X183' @1 | |
| I - 4'X45'X183' @2 | |
| J - 4'X45'X220' @10 | |
| K - 4'X15'X220' @1 | |
| L - 4'X30'X220' @1 | |
| M - 3'X6'X60' @6 | |

(Lot 5), SE $\frac{1}{4}$ NE $\frac{1}{4}$; (Lot 6), NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Twp. 9S, Rge. 14E., B.M.



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

Groundwater, Hydrology,
and Hydraulic Engineering

Route 1, Box 186
Kimberly, Idaho 83341

March 28, 1977

RECEIVED
MAR 31 1977
Department of Water Resources
Southern District Office

Mr. Bobby Fleenor
Idaho Department of Water Resources
373 W. Franklin
Boise, ID 83720

543-6444

Dear Mr. Fleenor:

On March 22, 1977, accompanied by Mr. Hal Ward of the Clear Lakes Trout Company, I measured the total flow passing through the Clear Lakes Trout Company facility near Buhl. All flow was passing through the two 12 ft. rectangular suppressed weirs. All bypass around the weir channels was shut off including the holding pond bypass which is an 18x36" corrugated metal arch pipe. This pipe feeds the holding ponds south of the raceways. Flow was adjusted in the tail race so that both weirs were operating correctly. The west weir does not aerate when the head reading exceeds about 1.75 ft. At 3:00 p.m. on March 22nd, the following readings and discharges were measured.

<u>Weir</u>	<u>Staff Gage Reading</u>	<u>Discharge</u>
West	1.68	89.5
East	1.66	87.5
	total	177. cfs

At this same time the Clear Springs Trout Company main inlet which is fed by the same spring source read 1.88 feet for a discharge of 206 cfs.

A check was made of the east weir performance, both aerated and non-aerated. When the weir is operating non-aerated the staff gage reading used with the standard rating curve indicates about 4.5 cfs greater discharge than is actually passing for a discharge in the 80 to 90 cfs range.

RECEIVED
MAR 31 1977

Mr. Bobby Fleenor

-2-

March 28, 1977

A check was also made of the approximate capacity of the holding pond bypass. Water was diverted from the east weir through the holding pond bypass pipe resulting in a decrease in total flow through both weirs of 9.5 cfs. Therefore, it can be assumed that with the tail race regulated as it was on March 22nd, that the holding pond bypass discharges about 9.5 cfs. As I understand, it is planned to regulate the tail race so that excessive flow is not diverted to the west weir to cause non-aeration of the nappe. This weir has not been aerating since it was installed.

I hope these measurements will suffice for your determination of discharge for licensing purposes.

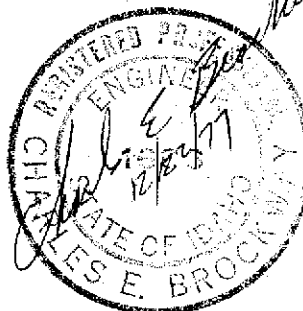
Sincerely,

Charles E. Brockway
C. E. Brockway, P.E.

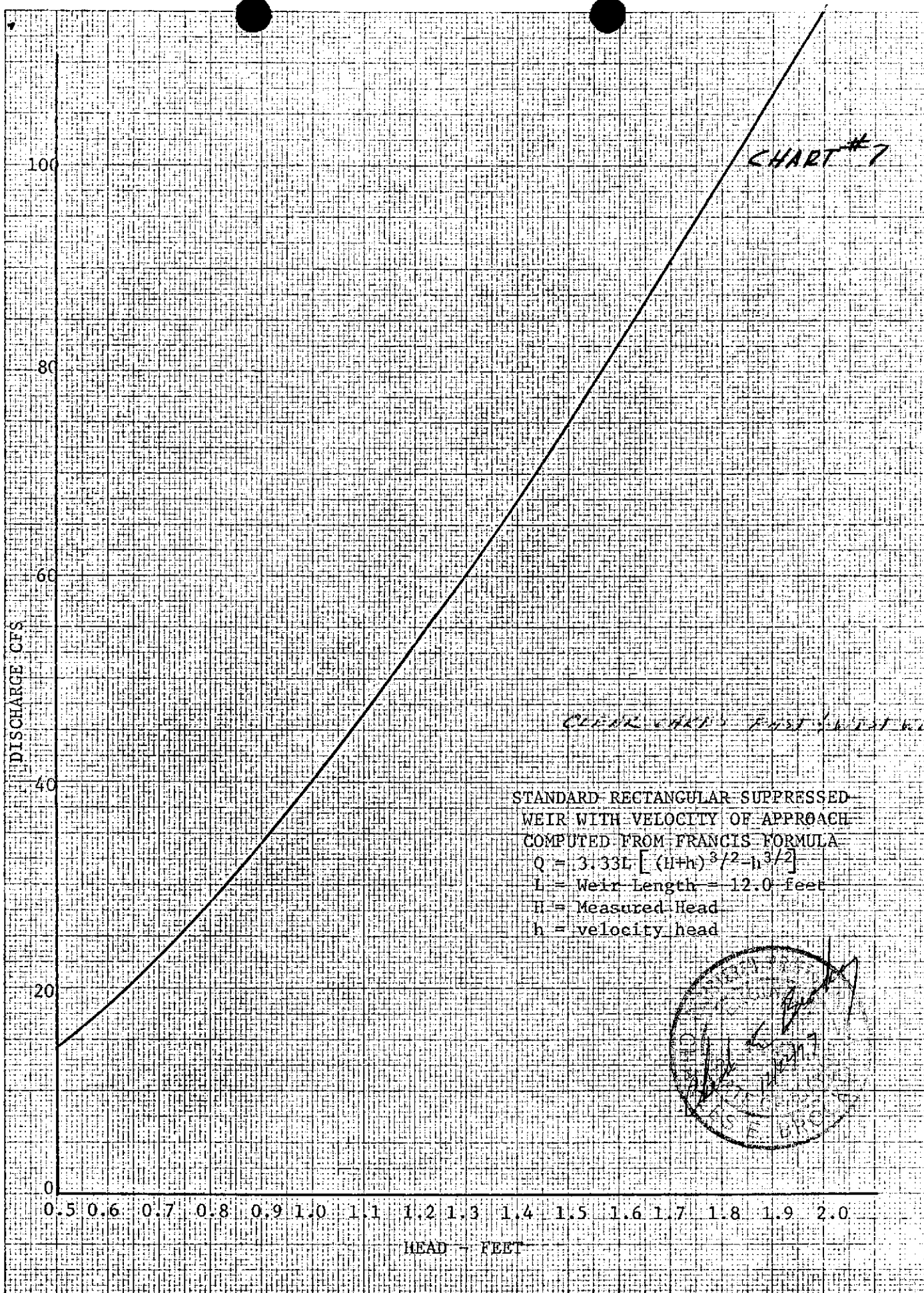
CEB:ld

enc. - Rating curve for 12 ft. Rectangular suppressed weir.

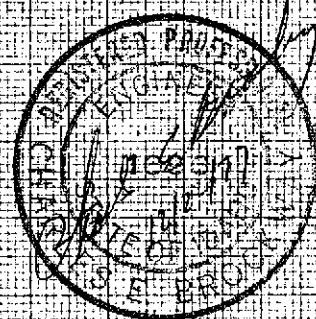
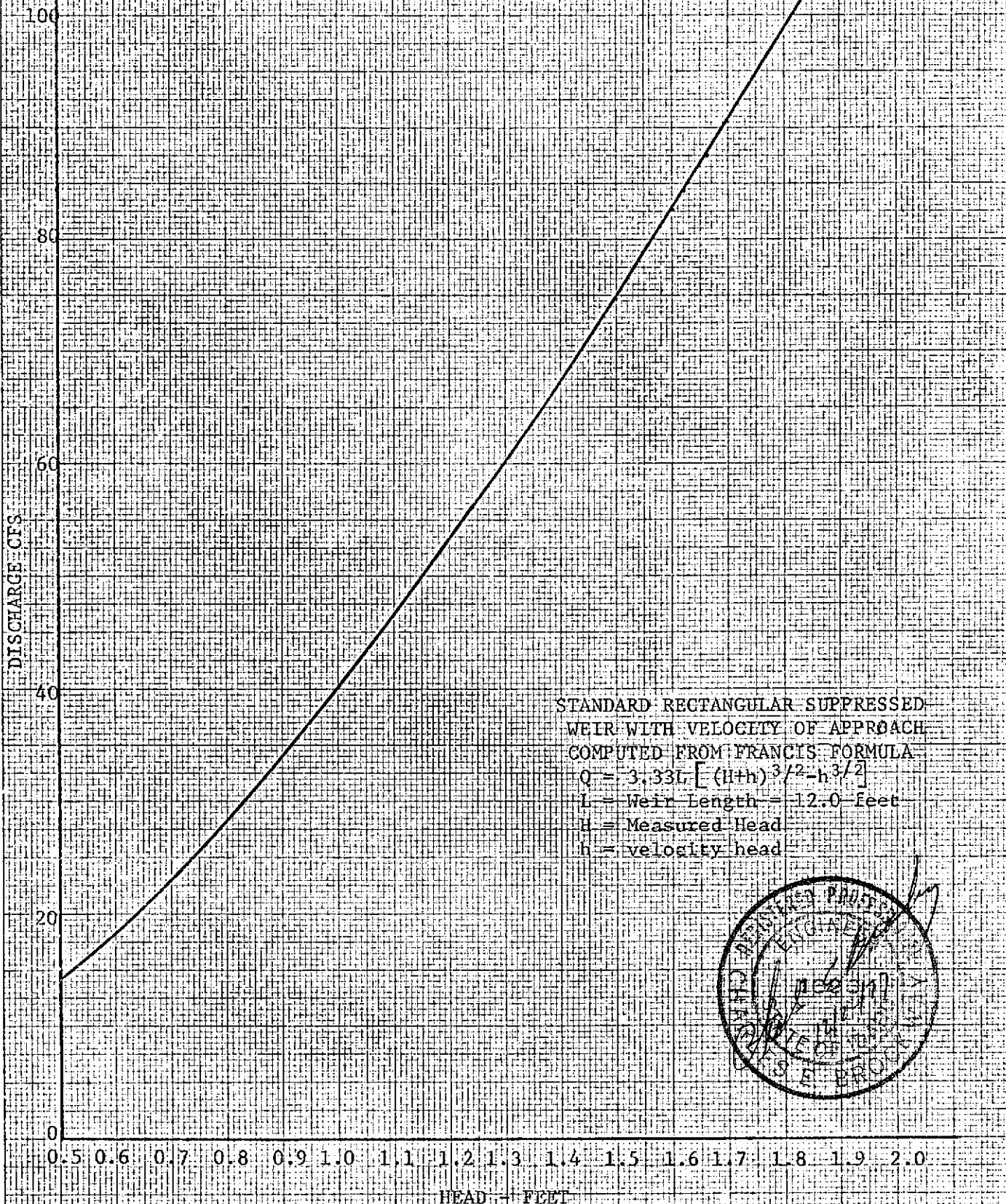
cc: Mike Steele, IDWR
Hal Ward, Clear Lakes Trout



MICROFILMED

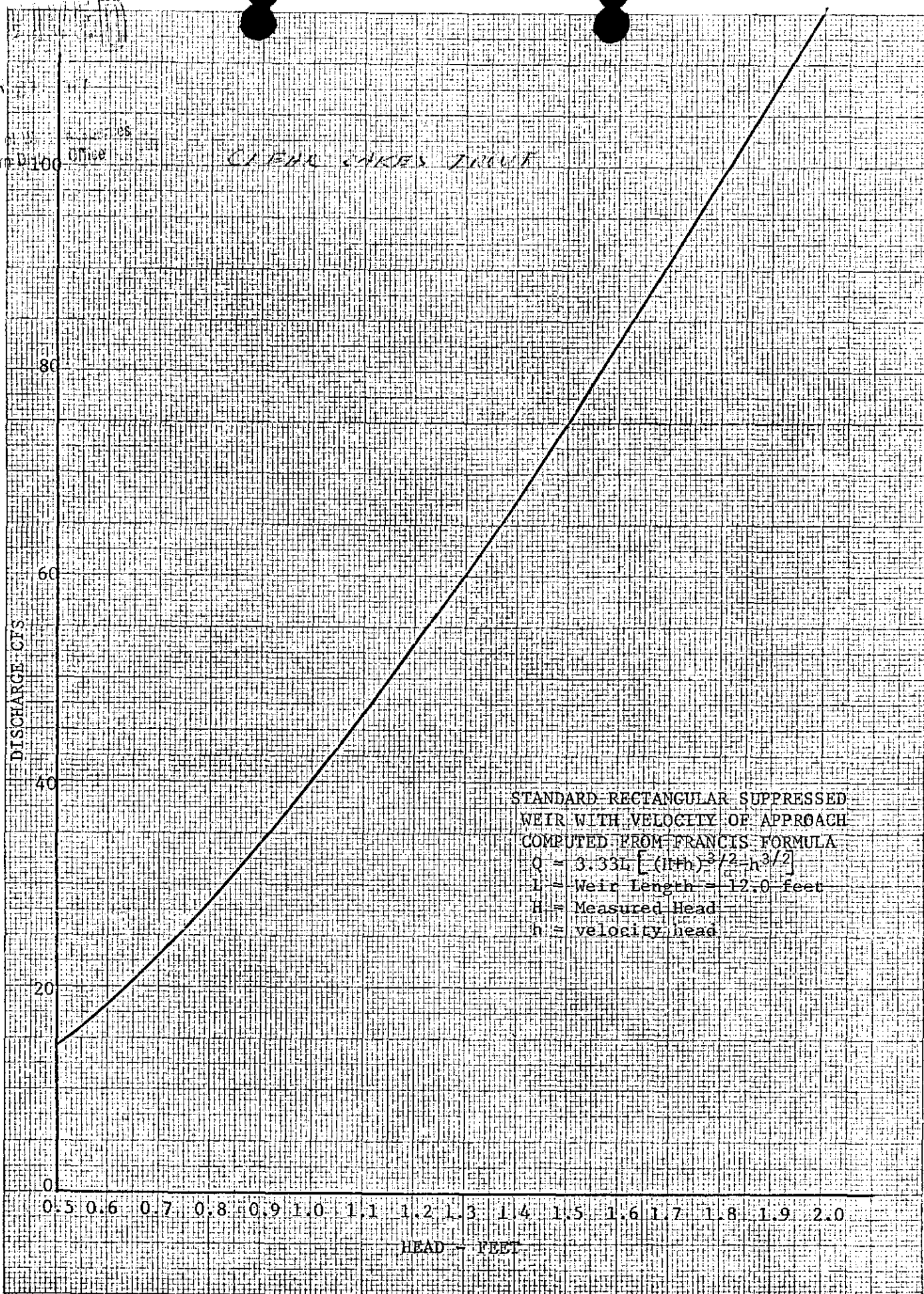


CALCULATED



RECEIVED

Department of the Interior
Southern Division



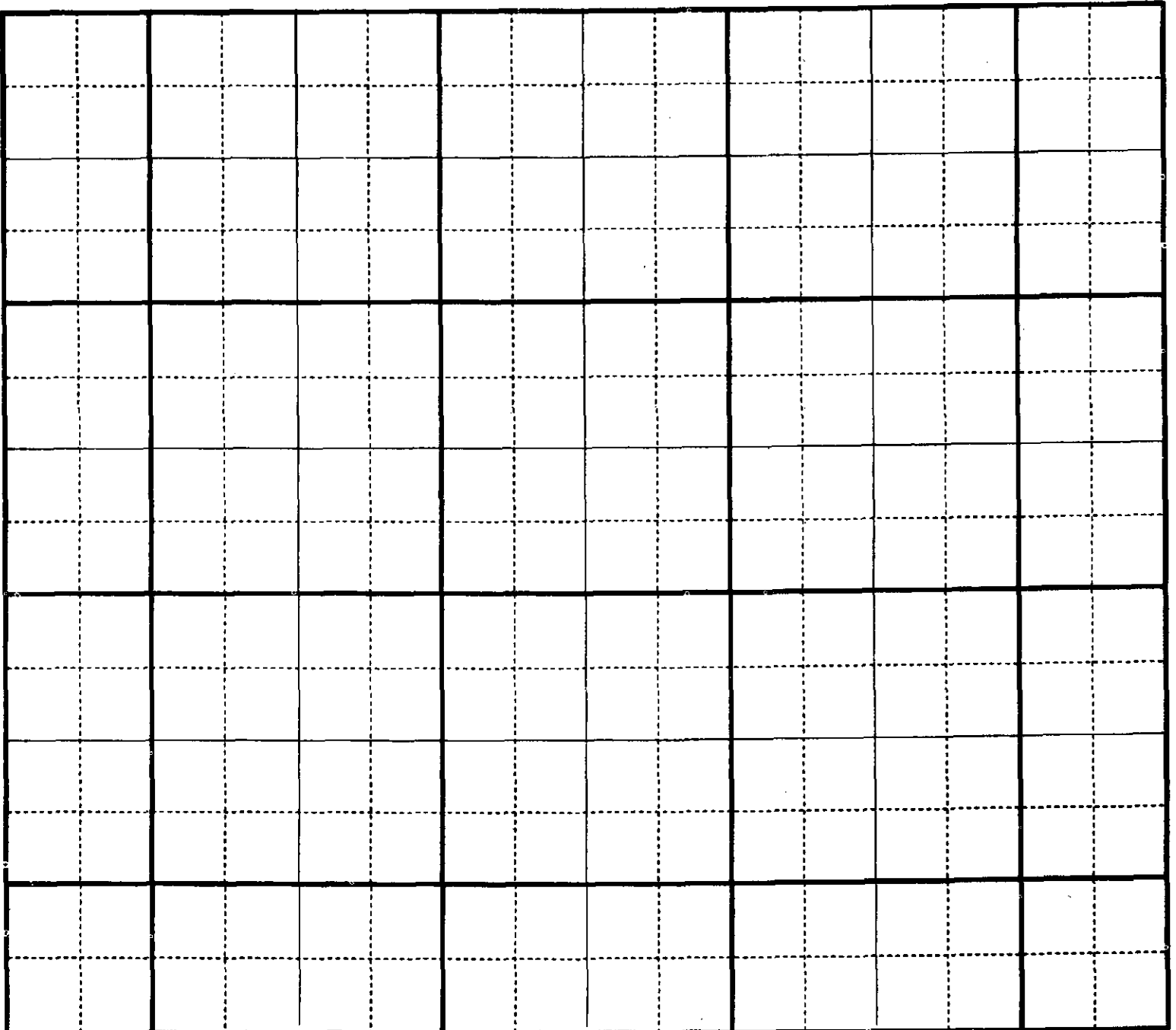
RATING TABLE

TWELVE (12.0) FOOT STANDARD RECTANGULAR SUPPRESSED WEIR
WEIR CREST 4.0 FEET ABOVE CHANNEL FLOOR
DISCHARGE CORRECTED FOR VELOCITY OF APPROACH

STAFF GAGE	0.00	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.5	14.2	14.6	15.0	15.5	15.9	16.4	16.8	17.3	17.7	18.2
0.6	18.7	19.1	19.6	20.1	20.6	21.0	21.5	22.0	22.5	23.0
0.7	23.5	24.0	24.6	25.1	25.6	26.1	26.6	27.2	27.7	28.2
0.8	28.8	29.3	29.9	30.4	31.0	31.6	32.1	32.7	33.3	33.8
0.9	34.4	35.0	35.6	36.2	36.7	37.3	37.9	38.5	39.1	39.7
1.0	40.4	41.0	41.6	42.2	42.8	43.5	44.1	44.7	45.4	46.0
1.1	46.6	47.3	47.9	48.6	49.2	49.9	50.6	51.2	51.9	52.6
1.2	53.2	53.9	54.6	55.3	55.9	56.6	57.3	58.0	58.7	59.4
1.3	60.1	60.8	61.5	62.2	63.0	63.7	64.4	65.1	65.8	66.6
1.4	67.3	68.0	68.8	69.5	70.3	71.0	71.7	72.5	73.3	74.0
1.5	74.8	75.5	76.3	77.1	77.8	78.6	79.4	80.2	80.9	81.7
1.6	82.5	83.3	84.1	84.9	85.7	86.5	87.3	88.1	88.9	89.7
1.7	90.5	91.3	92.2	93.0	93.8	94.6	95.5	96.3	97.1	98.0
1.8	98.8	99.7	100.5	101.3	102.2	103.0	103.9	104.8	105.6	106.5
1.9	107.3	108.2	109.1	110.0	110.8	111.7	112.6	113.5	114.4	115.3

n/q

Diagram of System



MEMORANDUM

TO: FILE

DATE: 2/21/78

FROM: GARY FUNDERBURG

SUBJECT: 36-7004 and 36-2659

The source of water for Permit No. 36-7004 and 36-2659 is a series of springs located in the North side of the Snake River in Govt. Lot 5 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Govt. Lot 6 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 2, Twp. 9S, Rge. 14E, and used in Lot 5 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Lot 6 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), of Sec. 2, Twp. 9S, Rge. 14E.

There are three methods used to divert the springs to the raceways.

1. The spring water is collected in a holding pond then diverted into the concrete raceways and discharged into the Clear Lakes.
2. (1) 24 inch diameter steel pipe is connected to a concrete collection box at the mouth of the springs. The water is conveyed through the pipe to a concrete diversion which allows the water to be distributed to the raceways. (see diagram).
3. The water used at the hatchery is diverted directly from the springs through (2) steel pipes. (1) 10 inch diameter and (1) 12 inch diameter. These pipes are connected to a concrete collection box at the mouth of the springs and runs into a diversion box at the hatchery building. The water is then diverted into 30 hatching trays. (see diagram B for size of trays) and can be discharged into the raceways or into the Clear Lakes.

When the water leaves the raceways it is conveyed through (2) 12 feet concrete flumes and discharged into Clear Lakes. A 12 foot rectangular suppressed weir is built at the outlet of each flume. These weirs were designed and computed by C. E. Brockway, a Professional Engineer. Chart #1 is the curve for both weirs, and Chart #2 is the rating table for both weirs.

Part of the spring water is used at the processing plant and discharged into Clear Lakes.

MICROFILMED

DATE OF EXAM 10-25-77

Found _____ ✓
Recommended _____ ✓

Irrigation Requirement Ac Ft/Ac

Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
 Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
 Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Fish Propagation Q = 75.0 c.f.s. from Jan. 1 to Dec. 31

Fish Propagation Q = 75.0 C.f.s. from Jan. 1 to Dec. 31

Is water co-mingled? yes_____ no ☒

Name source: _____
 twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 _____ County

Exchange? yes_____ no ✓

Name source exchanged with: _____
 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 _____ County

tpw. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

twp. _____ N/S, Rge _____ E/W, B. M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 180 cfs Method of measurement 12' STANDARD Rectangular
Suppressed Weirs

Total Q recommended 75' O.C.S. Meter No. V Type 12' Condition good

Total V recommended ✓

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

MEASUREMENT CALCULATION:

1. Weir = $H_d = 1.72'$ See Curve Computed from Francis formula = 92.5 c.f.s.

2. Weir = $H_d = 1.66'$ See Curve Computed from Francis formula = 87.5 c.f.s.

2. Weir = Hd = 1.66' See Curve Computed from Francis formula = 87.5 c.f.s.

SYSTEM DESCRIPTION:

water used for the Fish Hatchery is conveyed from the springs through (2) steel pipes 12" DIA. & 10" DIA. See Sheet #1. Water used for the Raceways is conveyed through (1) 2' DIA. Steel pipe, (8) 2' DIA. Steel Culverts. See Sheet #1 & #2. The water leaves the Raceways and discharges into Clear Lake through (2) 12' Concrete Flumes

REMARKS: Charles Brockway was present during the exam. He represented Clear Lakes Trout Co.

Notes: ~~for~~ ~~forwards~~ are on sheet #2.

Size of the ~~the~~ ~~Synthes~~
Raywhus

Examiner's Signature Sam J. Underburg Date 10-31-77

Checked by J. P. Stanton Date 9-19-70

Approved by _____ Date _____



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 28, 1977

Re: Permit No. 36-2659 & 36-7004

Earl Hardy
CLEAR LAKES TROUT CO.
1301 Vista Ave.
Boise, Idaho 83705

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 during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Twin Falls.

Sincerely,

Janice Renk
JANICE RENK
Water Rights Bureau

/jr

RECEIVED
SEP 29 1977
TWIN FALLS

✓

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

SEP 9 1967
Department of Water Resources

1. a) Name of Permit Holder Clear Lakes Trout Co., Inc. C/O Earl M. Hardy
b) Post Office Address 1301 Vista Avenue, Boise, Idaho 83705
2. Permit Number 36-7004
3. Date of Priority that you are prepared to establish July 21, 1967
4. a) Source from which water was appropriated Clear Lake Springs
b) Location of the point of diversion: NE 1/4 SE 1/4, Section 2
Township 9S, Range 14E Boise Meridian, Other points of diversion:
SE 1/4 NE 1/4, Sec. 2, T. 9 S, R. 14 E, B.M.

5. a) The amount of water and use to which the water has been applied:
Amount 75 c.f.s. for Fish purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) Propagation (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 75 c.f.s. cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Rate of flow measurement made by C.E. Brockway, P.E., through two 12 Ft. rectangular suppressed weirs per letter to Mr. Bobby Fleenor, I.D.W.R., dated March 28, 1977.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
Impoundments and pipes

b) Describe the agreement or understanding by which you take water from the works:

Long term leases with options to purchase from Georgia Brush Jucker, et al, and Idaho Power Company

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

Impoundments and pipes

b) Describe the type and size of measuring device which you have installed at your point of diversion:

Two 12 ft. rectangular suppressed weirs at discharge location previously approved by Idaho Department of Water Resources

c) Give well driller's name and address and the date the well was completed:

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

75 c.f.s. has been and is being beneficially used for fish propagation in the SE 1/4 NE 1/4 and the NE 1/4 SE 1/4, Sec. 2, T. 9 S, R. 14 E, B.M.

Exam typed 9/21/78 by J

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

September 2, 1977
(Date)

Clear Lakes Trust Co., INC.
By Paul M. Gandy, President
(Signature)

State of Id)
) ss.
County of Ada)

On this 2 day of Sept, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

David R. Tutthill
Notary Public residing at Boise Id

My commission expires Sept 10, 1980

June 30, 1977

CERTIFIED MAIL 138656

Re: Permit No. 36-2659 & 36-7004

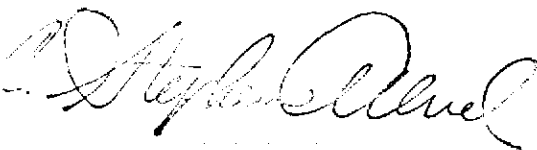
1301 Clear Lakes Trout Company, Inc.
1220 Vista Ave.
Boise, Idaho 83705

Gentlemen:

One of the conditions of approval of your water Permit No. 36-2659 & 36-7004 (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 September 16, 1977. 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit



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

**Groundwater, Hydrology,
and Hydraulic Engineering**

**Route 1, Box 186
Kimberly, Idaho 83341
March 28, 1977**

DIRECTOR	
PLANNING	
WATER	
TECH. STAFF	
CLERICAL	
ENGINEERING	
RESEARCH	
ADMIN.	
TRAINING	
SALES	
FILES	

RECEIVED

MAR 31 1977

Department of Water Resources

Mr. Bobby Fleenor
Idaho Department of Water Resources
373 W. Franklin
Boise, ID 83720

Dear Mr. Fleenor:

On March 22, 1977, accompanied by Mr. Hal Ward of the Clear Lakes Trout Company, I measured the total flow passing through the Clear Lakes Trout Company facility near Buhl. All flow was passing through the two 12 ft. rectangular suppressed weirs. All bypass around the weir channels was shut off including the holding pond bypass which is an 18x36" corrugated metal arch pipe. This pipe feeds the holding ponds south of the raceways. Flow was adjusted in the tail race so that both weirs were operating correctly. The west weir does not aerate when the head reading exceeds about 1.75 ft. At 3:00 p.m. on March 22nd, the following readings and discharges were measured.

<u>Weir</u>	<u>Staff Gage Reading</u>	<u>Discharge</u>
West	1.68	89.5
East	1.66	87.5
		total 177. cfs

At this same time the Clear Springs Trout Company main inlet which is fed by the same spring source read 1.88 feet for a discharge of 206 cfs.

A check was made of the east weir performance, both aerated and non-aerated. When the weir is operating non-aerated the staff gage reading used with the standard rating curve indicates about 4.5 cfs greater discharge than is actually passing for a discharge in the 80 to 90 cfs range.

File

36-7004

~~36-7004~~

✓

Mr. Bobby Fleenor

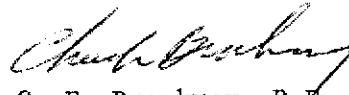
-2-

March 28, 1977

A check was also made of the approximate capacity of the holding pond bypass. Water was diverted from the east weir through the holding pond bypass pipe resulting in a decrease in total flow through both weirs of 9.5 cfs. Therefore, it can be assumed that with the tail race regulated as it was on March 22nd, that the holding pond bypass discharges about 9.5 cfs. As I understand, it is planned to regulate the tail race so that excessive flow is not diverted to the west weir to cause non-aeration of the nappe. This weir has not been aerating since it was installed.

I hope these measurements will suffice for your determination of discharge for licensing purposes.

Sincerely,

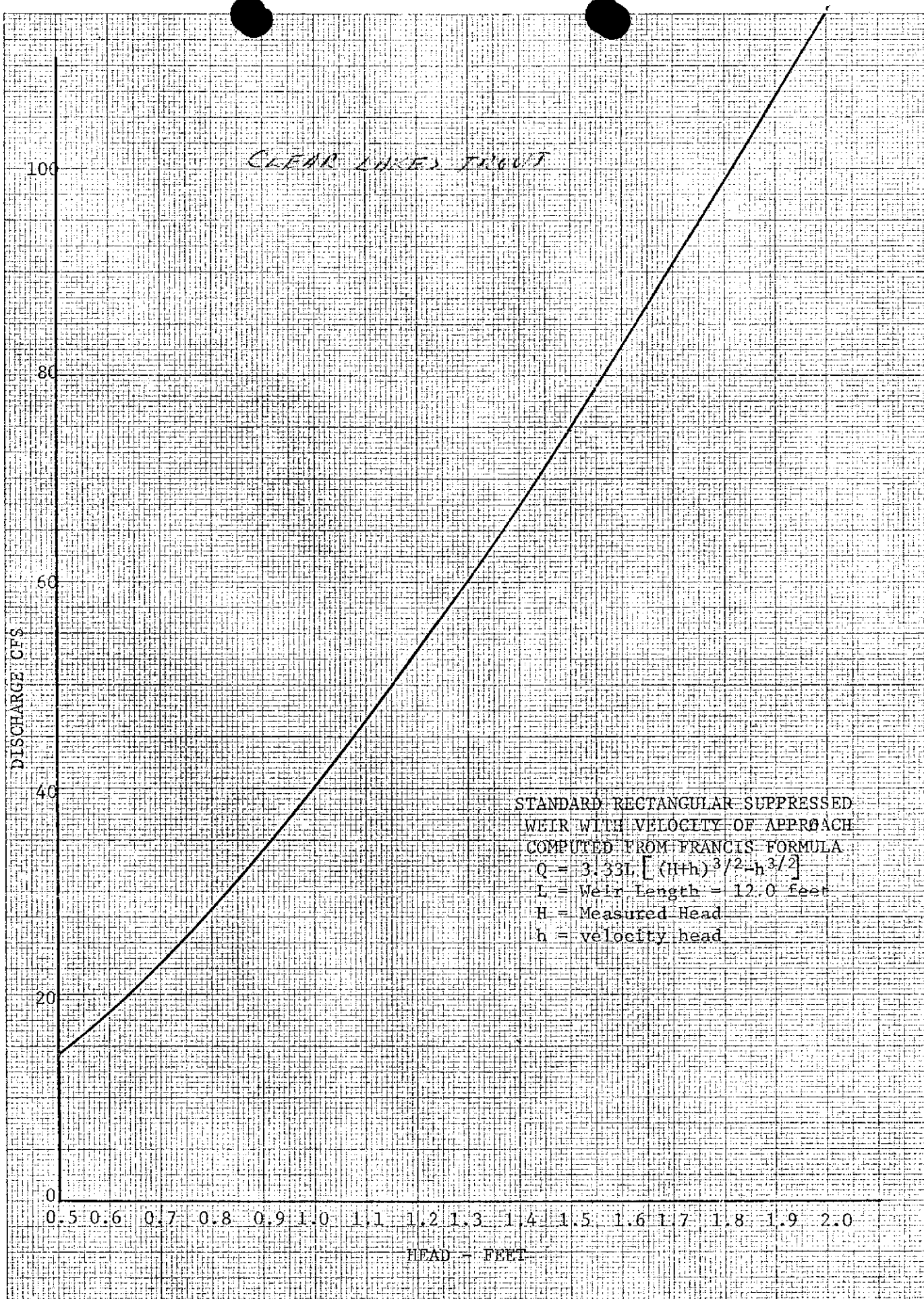

C. E. Brockway, P.E.

CEB:ld

enc. - Rating curve for 12 ft. Rectangular suppressed weir.

cc: Mike Steele, IDWR
Hal Ward, Clear Lakes Trout

✓



January 22, 1973

Re: Permit No. 36-7004

Clear Lakes Trout Co., Inc.
c/o Earl M. Hardy
1340 Vista Ave.
Boise, Idaho 83705

Dear Mr. Hardy:

Enclosed please find 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 September 16, 1977.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

36 7001

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

24143

①

Clear Lake Trout Co

INSURED NO.

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

A. Holsinger

DATE DELIVERED

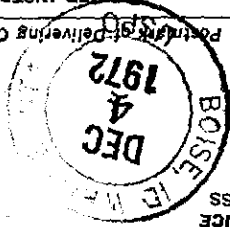
DEC 4 1972

③

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

36 7004

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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



SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moistened gummed ends and attach to back of article.

RETURN
TO



DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

38
2004

December 1, 1972

CERTIFIED MAIL #2A143

Re: Permit No. 36-7004

Clear Lakes Trout Co., Inc.
c/o Earl M. Hardy
1340 Vista Ave.
Boise, Idaho 83705

Gentlemen:

One of the conditions of approval of your water Permit No. 36-7004 (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 February 1, 1973. 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

Enc: Proof affidavit

36 7004

September 13, 1971

Re: Permit No. 36-7004

Clear Lakes Trout Co., Inc.
% Earl M. Hardy
1224 Vista Ave.
Boise, Idaho 83705

Dear Mr. Hardy:

Enclosed please find a copy of the APPROVED application for amendment in connection with the above referenced permit.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Copy of amendment

36 7004

No 1227

PUBLICATION RATES:	
(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	10c
Insertions	
10c	

8-5-2tc

Director
R. Keith Higginson

of this notice.
Idaho, 83707, within ten days
station, Statouuse, Boise,
partment of Water Admini-
be filed with the Idaho De-
amending of this permit may
Any protest to the proposed
B.M.
NE%, Sec. 2, T. 9S, R. 14E,
within the NE% SE%, SE%
fish propagation purposes
ing County; to be used for
2, T. 9S, R. 14E, B.M., Good-
NE% SE%, SE% NE%, Sec.
points of diversion within the
numbered permit, requesting
poses to amend the above
The permit holder now pro-
Sec. 2, T. 9S, R. 14E, B.M.
poses within the NW% SE%,
used for fish propagation pur-
B.M., Gooding County, to be
SE%, Sec. 2, T. 9S, R. 14E,
of diversion within the NW%
to the Snake River, with point
Clear Lakes Springs, tributary
feet per second of water from
the diversion of 75.0 cubic
Company, Inc., was issued for
name of Clear Lakes Trout
Permit No. 36-7004 in the
Notice is hereby given that
TO WATER PERMIT
NOTICE OF AMENDMENT

COPIES OF NOTICE

Title of Notice

Affidavit of Publication

State of Idaho,
County of Gooding
ss.

deposits 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 pro-
vided 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 _____ consecutive issues in
said newspaper proper and not in a supplement; that the date of the
first publication of said advertisement was on the _____ day

of August, 1971, and the date of the last publication
was on the 12 day of August, 1971

Subscribed and sworn to before me this 12

day of August, 1971

NOTARY PUBLIC

Anthony E. Blalock

COST OF PUBLICATION

Gooding, Idaho

GOODING COUNTY LEADER

Number of Lines in Notice
Number of Insertions

Lines at 14¢
Lines at 10¢

TOTAL COST

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred E. Hays, 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 5 day of August, 1971, and the date of the last publication was on the 12 day of August, 1971.

Alfred E. Hays
Subscribed and sworn to before me this 12 day of August, 1971.
(SEAL)

Audrey 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.....

COM OF NOTICE

Title of Notice

Notice of Amendment
to Water Permit

Plaintiff Attorney

Clear Lakes Trout
Co. Inc.

Defendant

Plaintiff

Bill to

Water Admin.

ers from 11 western states
better band and drill technique
Begin Training
Three young men, all 1971
graduates of high school this
past Spring, will begin training
in the electronics field
soon.
Wayne Trosper, son of Mr.
Mr. and Mrs. Elvin Trosper,
Gooding and Kenny McCray,
son of Mr. and Mrs. William
McCray, Wendell will begin
their training in the fall.
John Harley, son of Mr. and
Mrs. Roscoe Harley, Wendell
started the school this past
July.
All have been accepted by
United Electronics Training
Institute for a course in the
electronics field offered by
that school.

July 23, 1971

Re: Permit No. 36-7004 - Clear Lakes Trout Co., Inc.

Gooding County Leader
Box 36
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 7-28-71 By 36 7004

DWM:er

Enc: Legal notice of amendment

NOTICE OF AMENDMENT TO WATER PERMIT

C
O
P
Y
Notice is hereby given that Permit No. 36-7004 in the name of Clear Lakes Trout Company, Inc., was issued for the diversion of 75.0 cubic feet per second of water from Clear Lakes Springs, tributary to the Snake River, with point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M., Gooding County, to be used for fish propagation purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M.

The permit holder now proposes to amend the above numbered permit, requesting points of diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M., Gooding County; to be used for fish propagation purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M.

Any protest to the proposed amending of this permit may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, within ten days of the last date of publication of this notice.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader on August 5 and August 12, 1971.

36 7004

July 16, 1971

Re: Permit No. 36-7004 - Clear Lake Trout Co., Inc.

Carl M. Hardy
1224 Vista Ave.
Boise, Idaho

Dear Carl:

We are returning your application for amendment submitted in connection with the above referenced permit. Note on the back of the application that you have failed to complete your signature. Please do so and return it for processing.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DWM/bb

Enc: Application for amendment

36 7004

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

July 16, 1971

Re: Permit No. 36-7004 - Clear Lake Trout Co., Inc.

Earl M. Hardy
1224 Vista Ave.
Boise, Idaho

Dear Earl:

We are returning your application for amendment submitted in connection with the above referenced permit. Note on the back of the application that you have failed to complete your signature. Please do so and return it for processing.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

Enc: Application for amendment

7/19/71 -

Dear Son -

Thanks for noticing this. Completed and
Returned here with.

Earl Hardy

36 7004

February 5, 1968

Re: Permit 36-7004

Mr. Earl M. Hardy
1224 Vista Ave.
Boise, Idaho 83705

Dear Mr. Hardy:

We enclose a copy of your approved application for permit 36-7004 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Copy of application
Receipt No. 33885 for \$100.00

DON SAMUELSON, Governor
COMMISSION.
GLENN STANGER, Idaho Falls
R. J. HOLMES, Twin Falls
ARLIE JOHNSON, Boise
WILLIAM B. DURBON, Moscow
RAY SIMS, Bonners Ferry

JOHN R. WOODWORTH, Director

POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

IDAHO FISH AND GAME DEPARTMENT

January 22, 1968

RECEIVED

JAN 24 1968

Department of Reclamation

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

Your letter regarding the application to divert Clear Lake Springs water for fish culture purposes and the development plans have been received.

A comparison of this proposed development to the Niagara Springs Fish Hatchery is made by the applicant. Niagara Springs Hatchery has fourteen raceways 10 feet wide by 300 feet long. Each raceway receives $7\frac{1}{2}$ cfs of water flow.

This level of water flow required for rearing ocean-bound steel-head trout is somewhat higher than the amount of water required for rearing domestic rainbow trout.

The applicant indicates the construction of 57 raceways 10 feet wide by 300 feet long. Water use is to be 50 cfs of the 75 cfs applied for plus an additional 100 cfs of water under Permit No. 33476. The combined flow of 150 cfs will provide only 2.6 cfs of flow for each of the proposed raceways. This flow is extremely low and would allow for a low unit production of fish. The use of the additional 25 cfs of water requested would increase the flow to 3.0 cfs per raceway which would be less than the desired flow of 5 to 7 cfs.

We appreciate the opportunity to review these plans.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT
John R. Woodworth, Director

James C. Simpson
James C. Simpson, Chief
Fisheries Division

JCS/PC/jjf

36-7004

January 10, 1968

James C. Simpson
Chief of Fisheries Management
Department of Fish and Game
600 South Walnut Street
Boise, Idaho

Dear Mr. Simpson:

We are enclosing a copy of an application for permit which was received for the purpose of fish propagation. We would appreciate your views and comments on the proposed requirements as to the rate of diversion and efficiency of the operation.

We are also interested in any additional comments that you may have on this application. In order to facilitate the processing of this application, we would appreciate your comments within 20 days from the date of this letter. If this is inconvenient with your plans, please contact us.

Very truly yours,

Donald W. McElldowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of application.

C
O
P
Y

36-7004

EARL M. HARDY
BOISE, IDAHO 83705

1224 VISTA AVENUE

January 9, 1968

Re: Application 36-7004
Clear Lakes Trout Co., Inc.

RECEIVED

JAN 10 1968

STATE OF IDAHO

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: Mr. Donald W. McEldowney

Gentlemen:

Pursuant to our last conversation, the following information is submitted relative to the subject application.

Enclosed is a copy of the raceway design prepared by the U. S. Soil Conservation Service, showing use of 100 c.f.s. under Permit No. 33476 and 50 c.f.s. from the springs on the East side of the Island, the latter being included in this application for 75 c.f.s. This design is representative of that we have constructed and intend to use in the future under this application.

Our plan for the development of the project will be the same as we are doing under Permit No. 33476. That is, we will initially excavate the areas where raceways will be constructed into large lake like ponds, which will be used for trout production. The head-works to each large pond will be constructed so that raceways may be built and tied in in the future, as finances and time permit. However, the same amount of water will be necessary to operate the facility, with ponds or raceways, or a combination of both. The use of raceways results in more efficiency in the feeding and handling of the trout. I am including some photographs taken last fall of construction under Permit No. 33476, which depicts the construction plan described herein.

Please note that there is considerable land north of the raceways shown on the design prepared by the Soil Conservation Service. We intend to utilize this land for pond construction under this application, which will take additional water to the 50 c.f.s. shown. The use of this upper land was shown and included on the copy of the survey submitted as part of application No. 36-7004.

Also enclosed is a copy of an article published in U. S. Trout News containing photographs of the Idaho Power-State Fish and Game Facility on Niagra Springs. While it is certainly not representative as to cost,

36-7004

it is submitted as being somewhat similar insofar as layout and water use is concerned.

The use of the water under this application is also similar to that previously granted under permit to Clear Springs Trout Co. for 200 c.f.s. from the same source as our Permit No. 33476.

Due to the shape and limitation of the land area involved, our site requires a wide distribution of the water available as there is not enough land length for extended re-use. Consequently, the quantity of water applied for is necessary and justifiable in the operation thereof.

The spread of the water on our site will be much wider than that used on the Idaho Power Company Niagra Springs ground. Additionally, the latter site has approximately twice as much length for the re-use of the water, as does that of Clear Lakes Trout Company. In the development of sites for trout production, each call for a somewhat different approach, depending upon the natural advantages and limitations present pertaining to the water and land involved.

I trust the above will enable you to conclude the matter and to give final approval to the permit.

Sincerely yours,

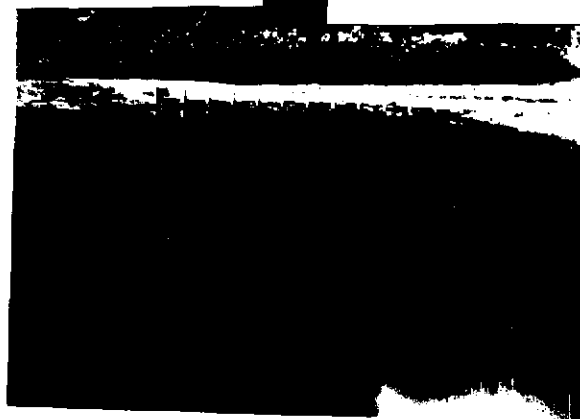
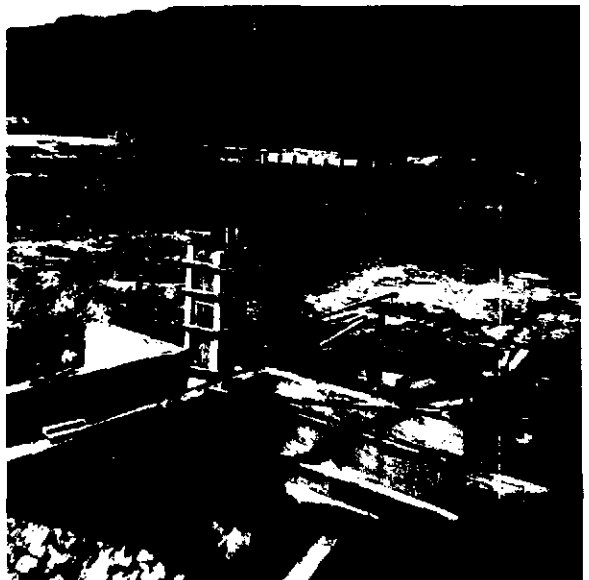
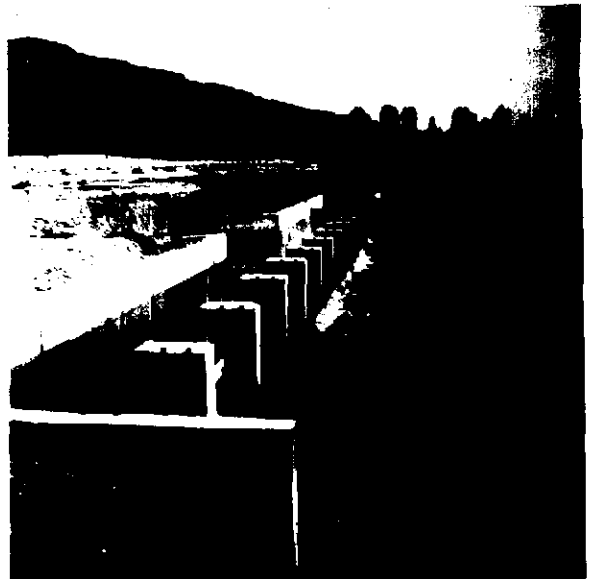
CLEAR LAKES TROUT COMPANY, INC.

Earl M. Hardy
Earl M. Hardy

EMH/jk

enclosures

36-7004

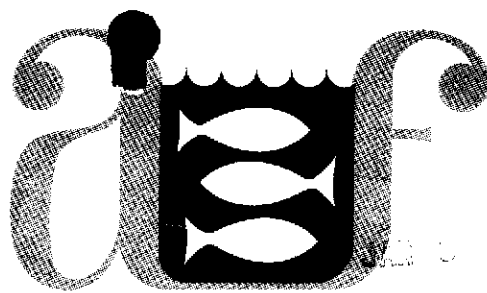


36-7004

american fishes

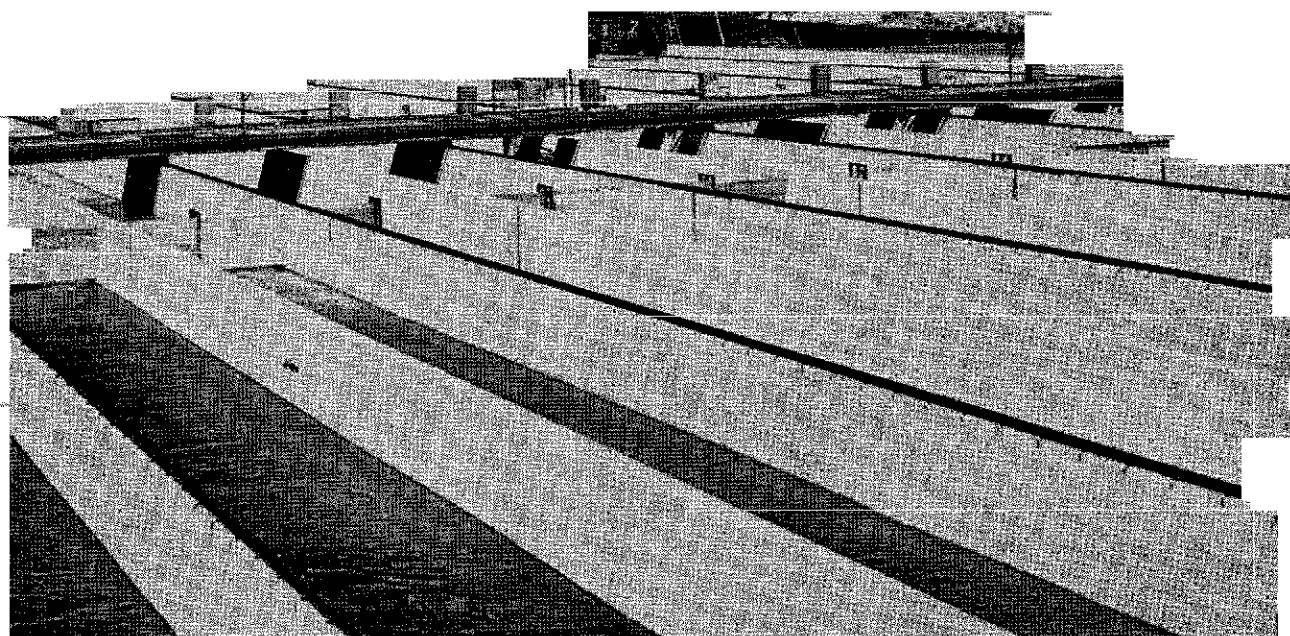
and U.S. TROUT
NEWS

FEATURING — TROUT, SALMON AND WARM WATER FISHES



MAY-JUNE 1967

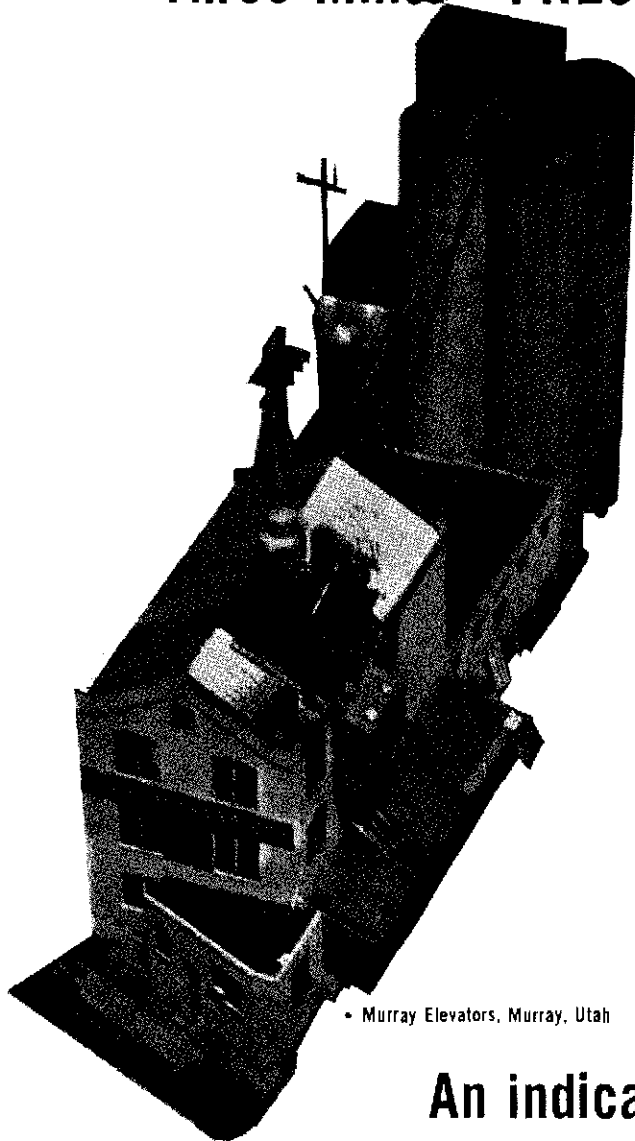
Department of Recreation



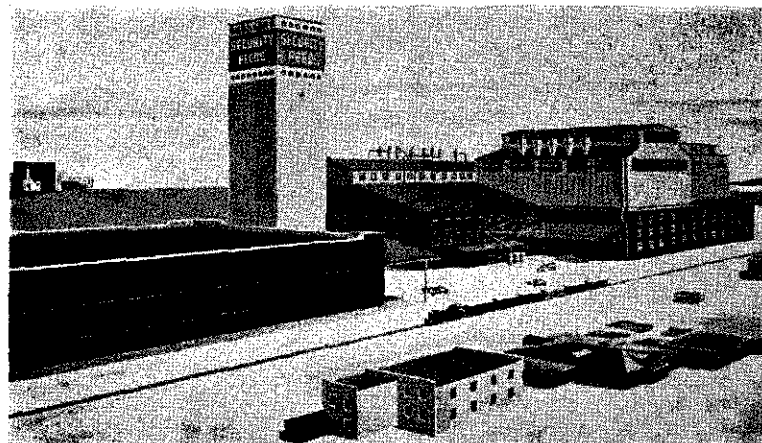
- This issue — IDAHO'S BIG STEELHEAD EXPERIMENT — pages 3-4
- Plan ahead — ANNUAL CONVENTION, U. S. TROUT FARMERS, Las Vegas, Nov. 9, 10

36-7004

Three Mills — FRESHNESS with Quality assured!

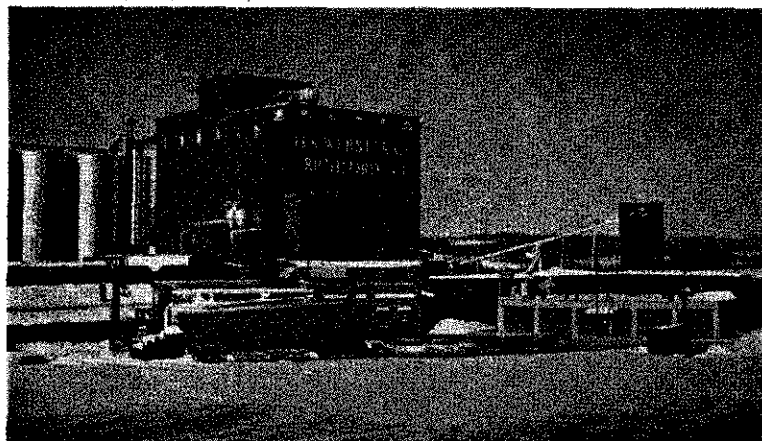


• Murray Elevators, Murray, Utah



• Security Feeds, Knoxville, Tennessee

• H. K. Webster Co., Richford, Vermont



An indication of extra fine quality . . .

- More than 200 state, federal and commercial hatcheries are feeding **SILVER CUP** trout feeds!

That's a fine testimonial to the high quality of our feeds from 23 states!

Not only do our feeds contain the very finest ingredients but they are **FRESH**, manufactured in three strategic locations . . . (see photographs above)

You can get freshly-made **SILVER CUP** Trout Feeds delivered within 10 days to any point in the United States. Our volume shipments are manufactured strictly after receipt of order; thus assuring freshness of supply. Ask the hatcheryman who feeds it . . . he'll recommend **Silver Cup**!

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MURRAY ELEVATORS

118 WEST 4800 SOUTH — MURRAY, UTAH — 262-2991

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SALES OFFICE

P. O. BOX 1296 — SALT LAKE CITY, UTAH — EMpire 4-6523



af

american fishes

and U.S. TROUT
NEWS

FEATURING — TROUT, SALMON AND WARM WATER FISHES

OFFICIAL PUBLICATION OF
U.S. TROUT FARMERS ASSOCIATION

67 West 9000 South, Sandy, Utah 84070

Phone (801) 255-0228

CLAY ROBINSON

Executive Manager and Editor

Carl Decker Assistant Editor
Dixie L. Shumate, Jr. Consulting Biologist
Dr. Leon Rosenblatt Contributing Editor
Barbara W. Robinson Circulation Manager

Vol. 12, No. 1
May-June, 1967

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Earl M. Hardy, Vice President Boise, Ida.
Keith Brown, Secretary Red Bluff, Calif.
Jay Roundhouse, Treas. Kalamazoo, Mich.

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Keith Brown Red Bluff, Calif.
Bob Cornelius Burton, Ohio
Two Year—
Jay Roundhouse Kalamazoo, Mich.
R. G. Jennings Cashiers, N. C.
Robert A. Erkins Buhl, Ida.
One Year—
Bob Watson Woodland Park, Colo.
L. B. (Ben) Watson Hampton, Tenn.
Earl M. Hardy Boise, Ida.

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Walter H. Gysan, Castalia, Ohio. 1961-62
Edward McLeary, Soap Lake, Wash. 1960-61
Clark White, Paradise, Utah 1959-60
E. P. Langenfeld, New Holstein, Wis. 1958-59
Don D. Belcher, Gravois Mills, Mo. 1957-58
Robert A. Erkins, Buhl, Ida. 1956-57
Colin Thomas, Pennsylvania 1954-55
Lynn Erickson, Smithfield, Utah. 1953-54

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May-June, 1967

From the Desk of the President

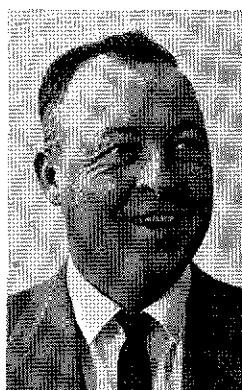
U. S. Trout Farmers Association

Bright rainbow in sky ... if ...

Today, there appears for U.S. trout farmers a bright rainbow in the sky ... and at the end of this rainbow is a pot of gold that should be enjoyed by commercial producers of quality trout. But it is going to take the concerted effort of all trout farmers and their U.S. Trout Farmers Association to find and grasp this pot of gold. To do so would result in an economic bonanza to the commercial trout industry and would save many tax dollars a year for the U.S. citizen.

Let us consider these items:

1. *An immense water storage project is being developed for the Upper Colorado River system.* This involves the building of many dams along tributaries to the Colorado River over a twenty-year period. Already five years of this time have gone by. In my own area of Montrose, Colorado, there are seven dams being built. These are just a few out of many that will be built in other areas. And if one were to extend this even further he would find that other major projects have just as many contemplated reservoirs in their plans.



MR. COREY

2. *These lakes must be stocked with trout and other game fish.* The federal government has been buying all feasible fish hatcheries or sites in preparation to produce fish for the immense stocking program. Already they have bought two private hatcheries in the Montrose area and have acquired one Colorado Game and Fish Commission Hatchery. It has been estimated that it will take twenty million fingerling trout (two to three inches in length) annually to keep these local lakes stocked. This does not include lakes of other areas. This is just for the Montrose, Colorado area only. Also, there will be a big demand for catchable size trout.

3. *To my knowledge the U.S. Government has not attempted to buy these fish from private hatcheries.* Yet, I am certain that among the privately owned trout hatcheries there fish could be produced and delivered at a much lower cost than the federal government can produce them.

4. *It is my proposal that we trout farmers let it be known that we can produce trout at an attractive price for stocking of these projects.* Each member of the Trout Farmers Association is urged to send into Association headquarters an estimate of present fish producing capacities on their farms and their potential fish producing capacities for the future. If the member desires to participate in such a program of supplying fish for these recreational areas he should state the amount of fish he would produce and

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Short items of interest are scattered all through the magazine.

About Our Cover

What may be the world's most modern fish hatchery system is found at Niagara Springs along the Snake River in Idaho's Hagerman Valley. Here a traveling bridge spans the concrete rearing ponds. Hatchery buildings, feed storage silos, and the springs rising below lava cliffs are also visible. (See page 4 for details.) Photo by R. J. Brown, Idaho Power Co.



Idaho's Big Steelhead Experiment

When the Idaho Power Company was awarded the federal licensing for damming the Middle Snake River in Hell's Canyon it anticipated problems and expense in passing anadromous fish over the three-dam complex. What it has since come up with is a 12 million dollar—at last count—expenditure that has resulted in one of the grandest white elephants in history, perhaps the world's most modern hatchery and rearing facility and what most believe is the most ambitious conclusion of all sport fishing time—the transplanting of an entire anadromous fish run from one stream to another.

Currently the utility, in cooperation with the Idaho Fish and Game Department, is in the final phase of the project. It is planting the young of steelhead taken a year ago in the Middle Snake River into the Pahsimeroi River on the Salmon River Drainage. The overall result of the venture will be known in three or four years and

By Larry Hovey
Times-News Sports Editor
Twin Falls, Idaho

it can be termed successful only if these transplanted fish return to the Pahsimeroi to spawn.

A \$10-Million Bust

Background on the project started before dam construction. Idaho Power, hiring a full time fish biologist, Wendell Smith, outlined a costly program that had the fish taken from the lower dam, loaded in tank trucks and hauled 19 miles upstream above the last barrier. When the returning smolts had trouble getting past the complex, Idaho Power moved in with another costly, unique system of trying to net them and truck them around again. Slack water confused the upstream spawners and the same

thing frustrated the downstream migrants.

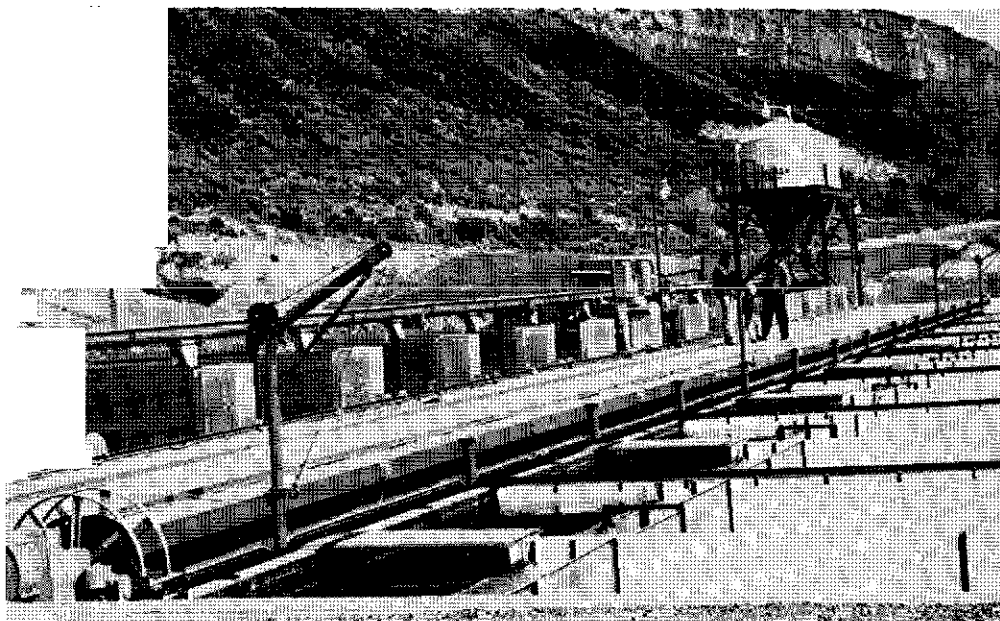
It was a 10-million-dollar bust and the utility asked the Idaho Fish and Game Commission to be relieved of the knotty obligation. The commission refused. Ray J. Holmes, Twin Falls, then commission chairman, noted: "They contracted to fulfill this obligation to us and we must answer to the Idaho public."

Transplant to Salmon River

The answer, quickly agreed to by the utility, was the current plan of transplanting the Middle Snake River steelhead run into the Salmon River drainage—that river being considered for coverage by the "wild rivers bill." It came at a happy time for the sporting public since apparent high water temperatures have been killing the remnant fall Chinook salmon run and the steelhead were expected to go for the same reason as habitat changes in the Columbia compounded.

From the rim above the water source, Niagara Springs, one sees the entire steelhead trout hatchery complex. Snake River is in background. Photo by C. W. Ryan, Idaho Power Co.

*If this project is the success
it appears headed for it may be used
to help save the Chinook salmon
runs in Idaho's Salmon River*



An automatic movable bridge spans all 14 raceways and is provided with feeder for each raceway. Bridge moves at rate up to 100 feet a minute for fast accurate feeding, access for loading fish, hanging screens, vacuuming ponds, and the like. Feeders are filled automatically by belt-line from two feed bins.

The transplanting, which will be carried out over eight years or two complete cycles, consists of three steps. The spawning steelhead are trapped and kept until ripe at Idaho Power's Oxbow dam. The eggs are eyed at a specially built facility there. The second step finds the eyed eggs taken to the modern Idaho Power steelhead plant at Niagara Spring, north of Buhl in the Snake River Canyon, where the static 57-degree spring water has proved ideal for fish raising. The plant is about six miles east of the Snake River Trout Company's home base.

The hatching is completed there and the fry tossed into raceways. Here the fish spend a year, free of natural predation and mortality.

Before their first birthday, the smolts, now about seven inches long,

are taken to large holding ponds on the banks of the Pahsimeroi. Fish biologists expected that the smolts would stay in the safety of the ponds until the migration urge strikes. They had immediate access to the river, simply by going over the spillway at the end of the pond. So far this theory seems to be working.

Model Plant Developed

Along the way, Idaho Power, which is underwriting the entire expense of the operation including the salaries of the Idaho Fish and Game Department personnel placed in charge of the facilities, has been forced to do a lot of spending and research.

The new hatchery has everything fish culturists have developed. A three-man crew can handle it all.

The feeding system is automatic. Bulk feed is fed by conveyor into a silo. It is fed from there into individual automatic feeders hooked to a moving bridge that straddles the raceways.

A press of one button starts the bridge moving down the length of the raceways and another activates the feeders which spew the feed to the young steelhead. One man can feed two million in 15 minutes.

At loading time a giant vacuum cleaner does all the work, a pump pulling them into the cleaner's "bag" and then pushing them into the tank truck when reversed. The fish never leave water.

Idaho Power's chief concern now is experimentation in increasing the number of fish a gallon of water can sustain during transit. This is being done by a giant Air Force surplus refrigerator, once part of Uncle Sam's missile base at Mountain Home Air Force Base.

Cold Water Experiment

With this giant refrigerator the three - compartment semi - trailer tanker is filled with 47 degree water. The temperature rises some when the fish are pumped into the tanker, but it's no problem. Just before leaving the hatchery, the tanker is again hooked up to the giant ice maker and within 15 minutes the desired 47 degree temperature is restored.

The cold water is no new trick to fish men who have used it as a means for rendering the fish inactive and cutting down on vomiting and urination that decrease oxygen capacity and increase mortality chances.

The department, currently in a haul-a-day program to get the smolts to the Pahsimeroi River, will use the tanker for experimentation later. The runts of the 1967 crop

(Continued on page 24)

Profit Possibilities For The Commercial Fish Farmer

The most recently emerging and one of the most potentially profitable segments of the fish farming industry is the commercial rearing of catfish. During the past two years, thousands of new acres have been inundated for extensive and intensive production of channel, blue, and white catfish. This production is heavily concentrated in the South Central States with other scattered production areas in California, Georgia, Illinois, Indiana, Kansas, Kentucky, Missouri, North Carolina, Pennsylvania and Tennessee.

No Organized Marketing System

To date, no organized marketing system has evolved from this relatively new area of fish farming. Hundreds of individual fish farmers are growing catfish in an assorted variety of pond facilities; and marketing their fish at irregular intervals (mostly in the fall and spring) to the highest bidder. This is a practice that has proven quite profitable to a few fish farmers who have managed to capitalize on local market shortages for both live and dressed catfish. In practically every instance, these individuals have offered a minimum of marketing services, but have been able to sell all of their limited production at "top price" in a local market area. This apparent easy success of these catfish growers has attracted many new people into commercial catfish growing in the last two years. This, along with the ever increasing demands of the live food markets for good quality catfish has brought about the rapid growth of catfish farming since 1963.

Erratic Pricing

Because of its disorganized nature, there has been an overall lack of communication and sound logistics throughout this new industry since its inception. As a result current prices for adult live catfish often vary as much as 40 cents a pound depending on where the catfish is raised and sold. The prices for fingerling catfish are even more erratic than for live adult fish. For example, this spring 6"-8" fingerlings selling for around 10¢ apiece in Arkansas, Mississippi, and Louisi-

By JOHN R. DONAHUE

Bureau of Commercial Fisheries

siana were selling for as much as 18¢ apiece in other areas of the country.

At present, almost no commercially reared catfish are being marketed through channels of distribution to the food markets. This is primarily because individual fish farmers are not physically geared to supply the constant supply and processing requirements of this market. In addition, this market offers them a slimmer profit margin *per unit* than does the currently active live market. This factor has caused most new fish farmers to gear their production facilities to meet the more readily accessible live market. As more farmers, businessmen and entrepreneur undertake commercial fish farming operations daily, the importance of a "total program" approach to the operation becomes increasingly important, because the early successes of a few may lead many others to disaster if they attempt to follow their example.

Plan Marketing Program

It is vitally important that the commercial catfish grower realizes now that his success or failure depend on not only how well he plans his production program, but how well he plans his marketing program. In essence, the two are an integral part of the fish farmer's overall effort to make a profit. For

John R. Donahue is a native of Michigan and a graduate of Michigan State University in the field of Marketing. With the exception of a short tour of military duty, Mr. Donahue has been continuously with the Bureau of Commercial Fisheries since his graduation. In 1965 he was made head of the Bureau's Marketing Office in St. Louis, Mo. There, he is in charge of all Bureau marketing activities in Missouri, Illinois, Kansas, Oklahoma, and Arkansas. As a Fishery Marketing Specialist, Mr. Donahue has been recognized for his work in market research and development.

This report was presented at the 1966 joint convention of the USTFA and AFFB in Kansas City.

a sound operation the fish farmer should know what market he is aiming for before constructing his physical facilities. He should then determine the resource, design, and capital input needed to build a unit capable of meeting the demands of this market. In other words, a simple way of approaching a commercial catfish farming operation is to, first, examine the existing markets, second, examine the resources and capital available to you, and third, determine which market you will most likely be able to meet successfully and make a profit. Each market demands distinctly different inputs and to be successful in any of them, you must have the correct input combination.

Marketing Opportunities

Let's examine some of the markets which are available to a commercial catfish grower. There appears to be three distinct markets available at the present time. The markets are, (1) *the live fish market*, (2) *the "combination" local market*, (3) *the food fish market*. Each of these markets has various breakdown within it (see accompanying chart).

Summary

As can be seen on the foregoing chart, the live markets do appear to offer the commercial catfish grower an attractive outlet; but the high prices being paid by this market are a result of inadequate supply and may not hold as live buyers find an increased supply in the next few years. The long run potential of this market has not yet been determined. The "combination" local market is good for a small operator who cannot afford a large capital outlay or obtain continuous production and volume. This market obviously is limited and will become more so as new fish farm operations enter the picture. The food fish market appears to offer the most measurable and long run potential of the three available markets. To meet this market will require: (1) A physical facility that can produce a volume amount of catfish at a per lb. cost of 20¢ or below. (2) A facility capable

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September 14, 1967

Re: Application 36-7004

Clear Lakes Trout Company, Inc.
Route 4
Buhl, Idaho

Gentlemen:

Before taking final action on your application to appropriate the public waters of the State of Idaho, the Department of Reclamation will require justification for the quantity requested to be appropriated.

This justification should be in the form of a resume of the capacities, system, and operation you intend to use to require 75 c.f.s. for trout propagation. Please be as detailed as possible in your justification.

Your prompt attention to this matter is required.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:rw

36-7004

August 25, 1967

Re: Application No. 3697004

The Gooding Leader
Gooding,
Idaho 83300

Gentlemen:

On July 26, 1967 we sent a letter with our legal notice which was to be advertised for two consecutive weeks in your newspaper. We also requested that immediately after the last date of publication, you furnish us with an affidavit and a certified bill of the publication.

As of this time, we have not received the affidavit or the bill. Please submit these as soon as possible and we shall send our payment to you.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:KS

36-7004

*Proofs as requested -
Legals for insertion
2 times - aug 3 and 10th*

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Clear Lakes Trout Co., Inc. has on July 21, 1967 applied for permit to (divert) ~~75~~ (cubic feet per second) of water from Clear Lake Springs under application No. 36-7004. Water will be diverted by ditches and diversion dam within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M., Gooding County and is to be used from January 1 to December 31 for trout propagation in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2, T. 9S, R. 14E, B. M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. Keith Higginson

State Reclamation Engineer

41-42

36-7004

July 26, 1967

Re: Application 36-7004

The Gooding Leader
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 proofing 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 can not publish the notice on the proposed dates, please contact us immediately.

The expense of this publication is to be paid by the Department of Reclamation to whom you must furnish an affidavit of publication with the bill as soon as the publication is completed.

Very truly yours,

Donald W. McElowney
Water Right Clerk

DWM:ks

Enclosure: legal notice

P.S. Please send a certified bill in order to receive prompt payment.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Clear Lake Trout Co., Inc.
has on July 21, 1967 applied for permit to (divert) ~~(store)~~ XXXX
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diverted by itches and diversion ^{OK} within the NW 1/4 Sec. 2, T. 9S,
R. 14E, B.M., Gooding County ^{dam} and is to be used from January 1
to December 31 for trout propagation
in NW 1/4 Sec. 2, T. 9S, R. 14E, B.M.

Any protest against this application must be filed with the Department
of Reclamation within ten days from the last date of publication of this
notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Gooding Leader, Gooding,
August 3, August 10
Idaho, on _____ and _____.