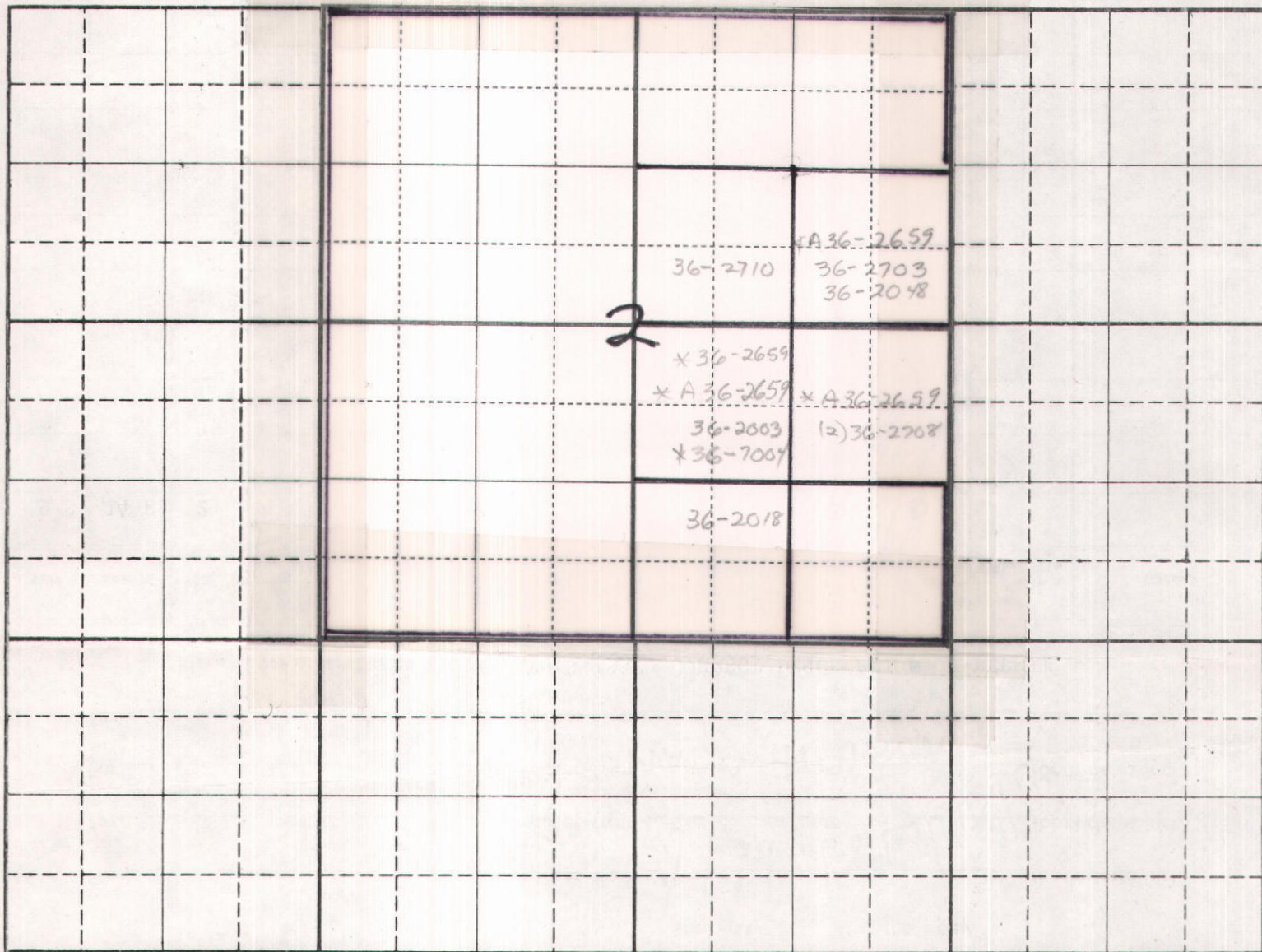


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Boise, Idaho, this 22nd day of June, 1971.
Clear Lake Trout Co., Inc.
By Gene Hardy
 (signature)

ACTION OF STATE RECLAMATION ENGINEER

Dept. of Water Admin.

I, R. KEITH HIGGINSON, Director

State Reclamation Engineer of the State of Idaho,

hereby approve the above application for amendment for Permit No. 36-2659.

Witness my hand this 16th day of August, 1971

Director

R. Keith Higgins
 State Reclamation Engineer

RECEIVED
JUL 19 1966
Department of Reclamation

First published in the Irrigationist, Wendell, Idaho, Thursday, June 30, 1966, for three consecutive issues ending on Thursday, July 14, 1966.

**NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 42-203
IDAHO CODE**

NOTICE IS HEREBY GIVEN, That Richard Kaster, of Route 4, Buhl, County of Gooding, and State of Idaho, has made application No. 41137 on the 24th day of June, 1966, to appropriate 100 c.f.s. of water from a spring, tributary of Snake River, for fish hatchery purposes.

That the point of diversion is in the NW 1/4 SE 1/4, Sec. 2, T. 9 S., R. 14 E., B.M., Gooding County.

The place of use of said water is in the NW 1/4 SE 1/4, Sec. 2, T. 9 S., R. 14 E., B.M., and that the water is to be returned to Clear Lake at a point in the NW 1/4 SE 1/4, Sec. 2, T. 9 S., R. 14 E., B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 24th day of June, 1966

R. KEITH HIGGINSON
Deputy State
Reclamation Engineer

County of Gooding }
STATE OF IDAHO } ss

I, Joanne Todd, being duly sworn, say that I am the manager editor of THE WENDELL IRRIGATIONIST, a weekly newspaper of general circulation published at Wendell, in the County of Gooding, State of Idaho; that the attached printed copy hereto annexed was published in THE WENDELL IRRIGATIONIST, in the regular edition thereof and not in a supplement, for three consecutive weeks, commencing on the 30th day of June, 1966, and ending on the 14th day of July, 1966.
Joanne Todd, Editor

Subscribed and sworn to before me this 14 day of July, 1966.

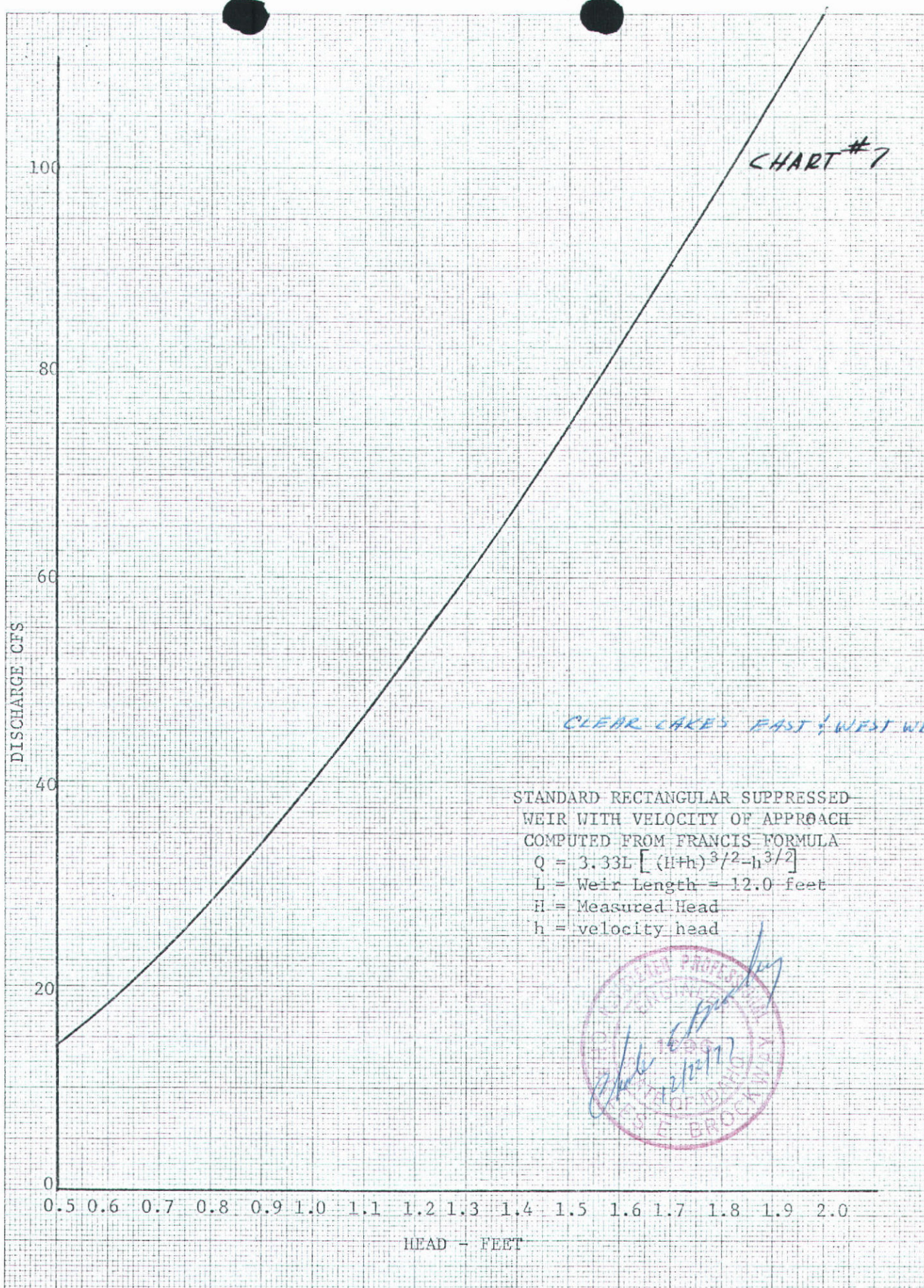
Charlotte Schman

Notary Public in and for
the County of Gooding,
State of Idaho

My commission expires
9-30, 1967.

33176

33176

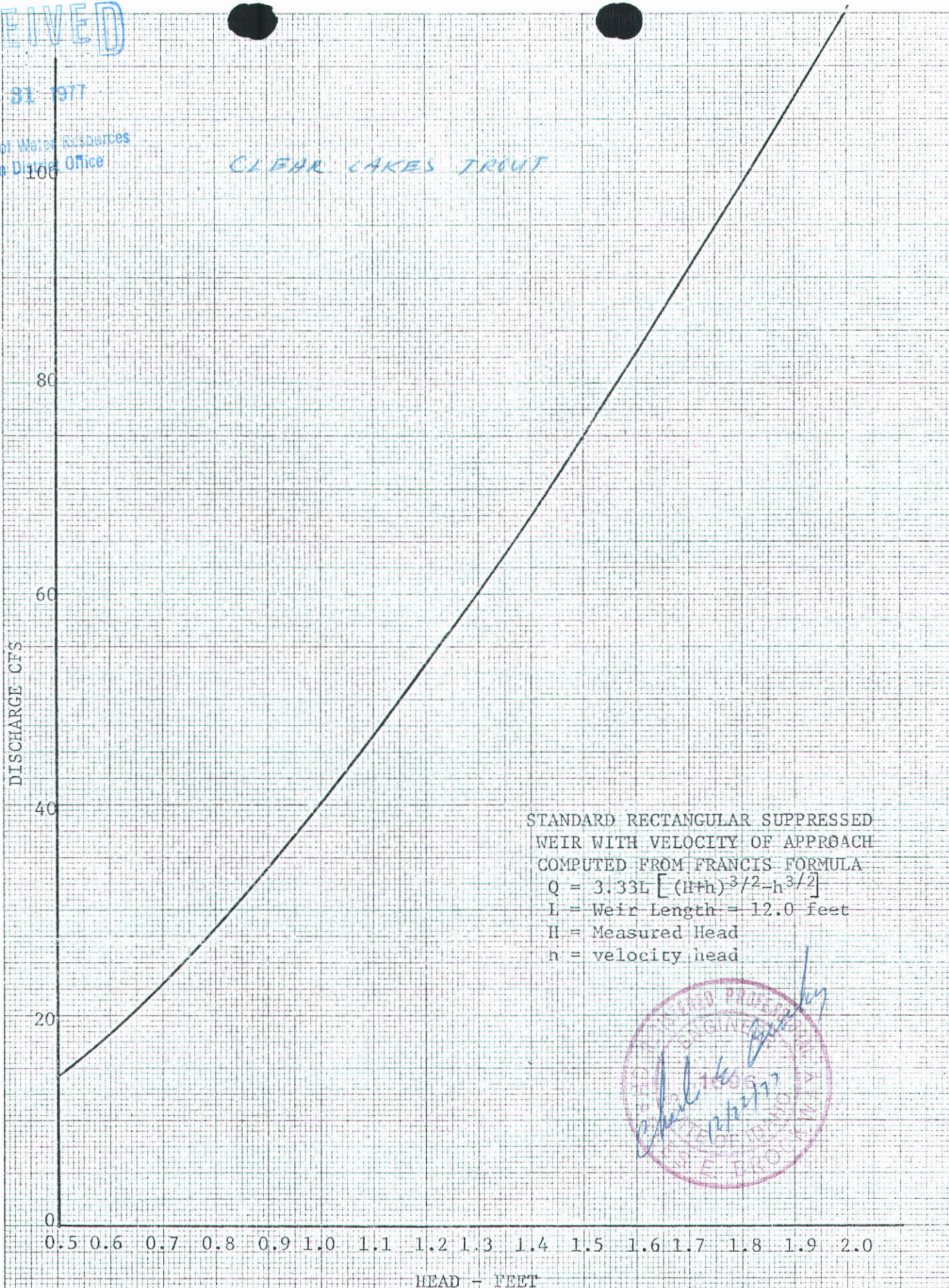


RECEIVED

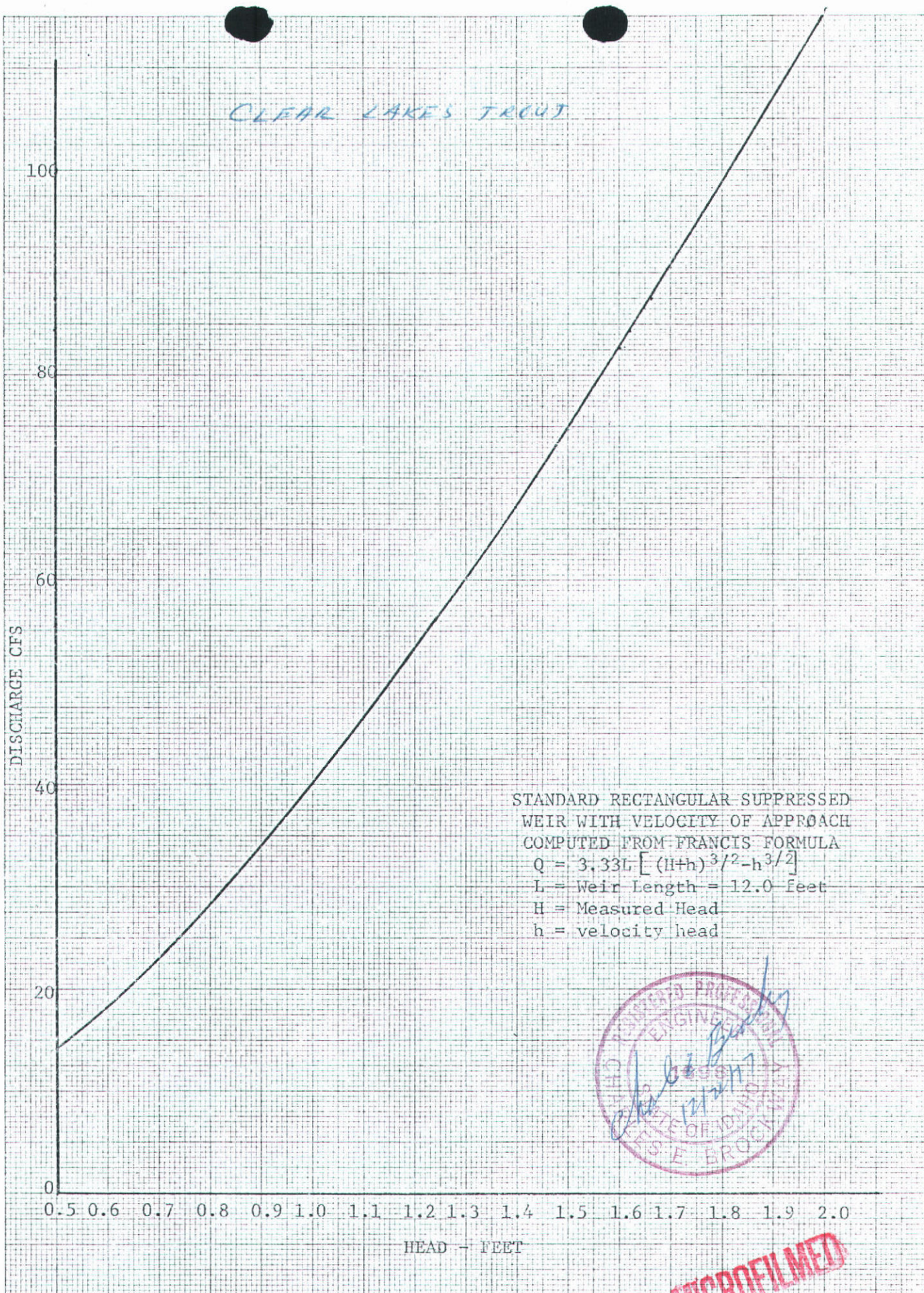
MAR 31 1977

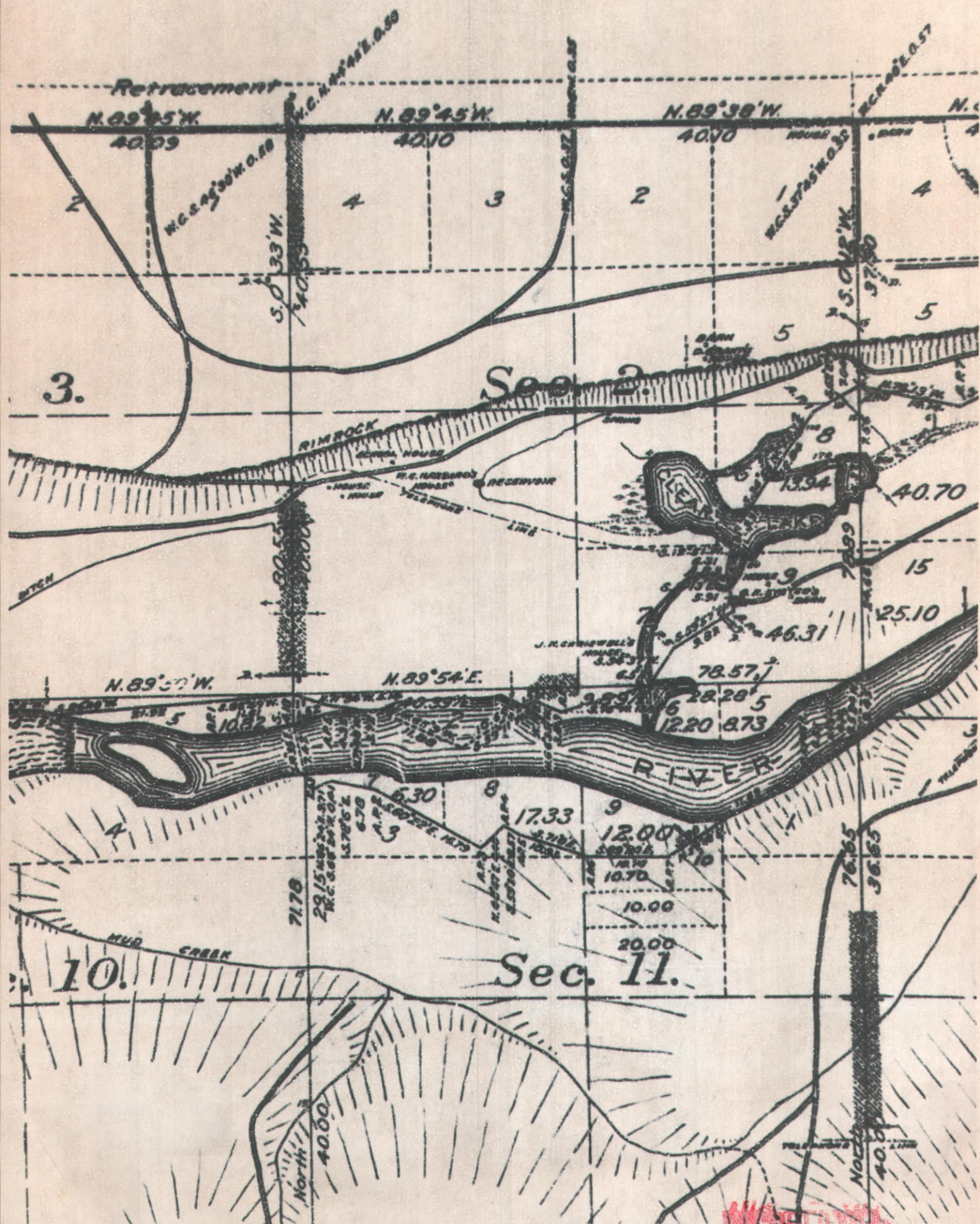
Department of Water Resources
Southern District Office

CLEAR LAKES TROUT



MICROFILMED





CLEAR LANE'S TROUT

DISCHARGE CFS

HEAD - FEET

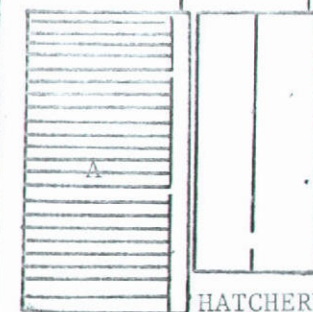
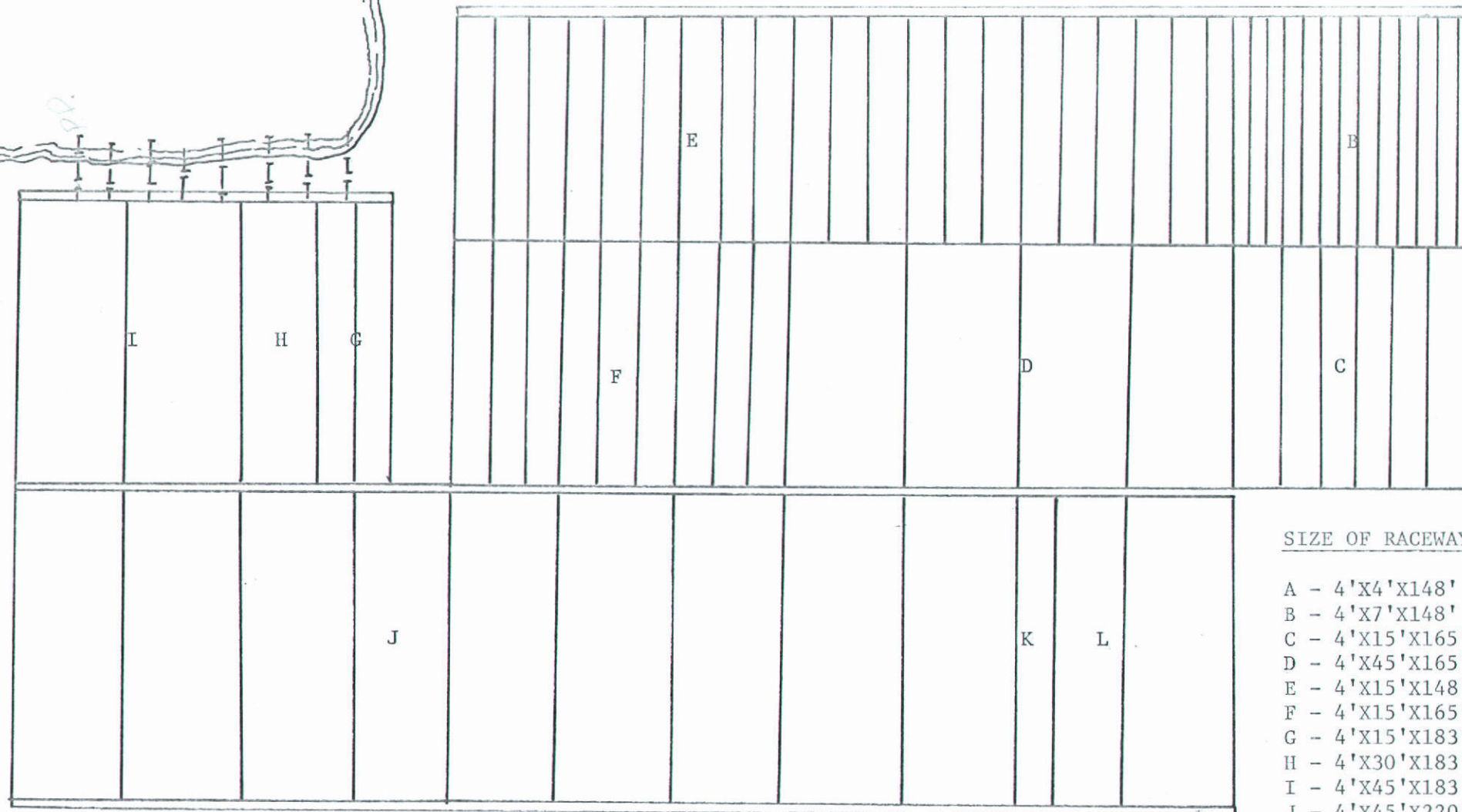
STANDARD RECTANGULAR SUPPRESSED
WEIR WITH VELOCITY OF APPROACH
COMPUTED FROM FRANCIS FORMULA
 $Q = 3.33L [(H+h)^{3/2} - h^{3/2}]$
L = Weir length = 12.0 feet
H = Measured Head
h = velocity head

RECEIVED
262659

DIAGRAM B

INLET POND

(3) PIPES FROM SURFACE



SIZE OF RACEWAYS

HATCHERY

- A - 4'X4'X148' @32
- B - 4'X7'X148' @12
- 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

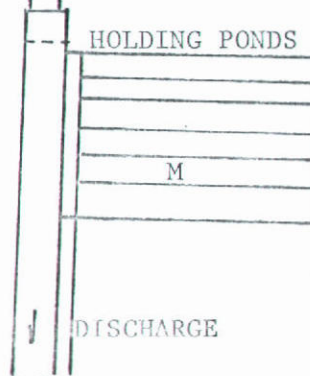
Hatching Trays
2'X2'X20' @30

- A - 75,776 ft³
- B - 49,728
- C - 59,400
- D - 118,800
- E - 186,480
- F - 89,100
- G - 21,960
- H - 21,960
- I - 65,880
- J - 396,000
- K - 13,200
- L - 26,100
- M - 6,480
- HT - 2,400

TOTAL 133,564 ÷ 43,560 =

26 acre feet
per ann.

WEIR HOLDING PONDS PROCESSING PLANT

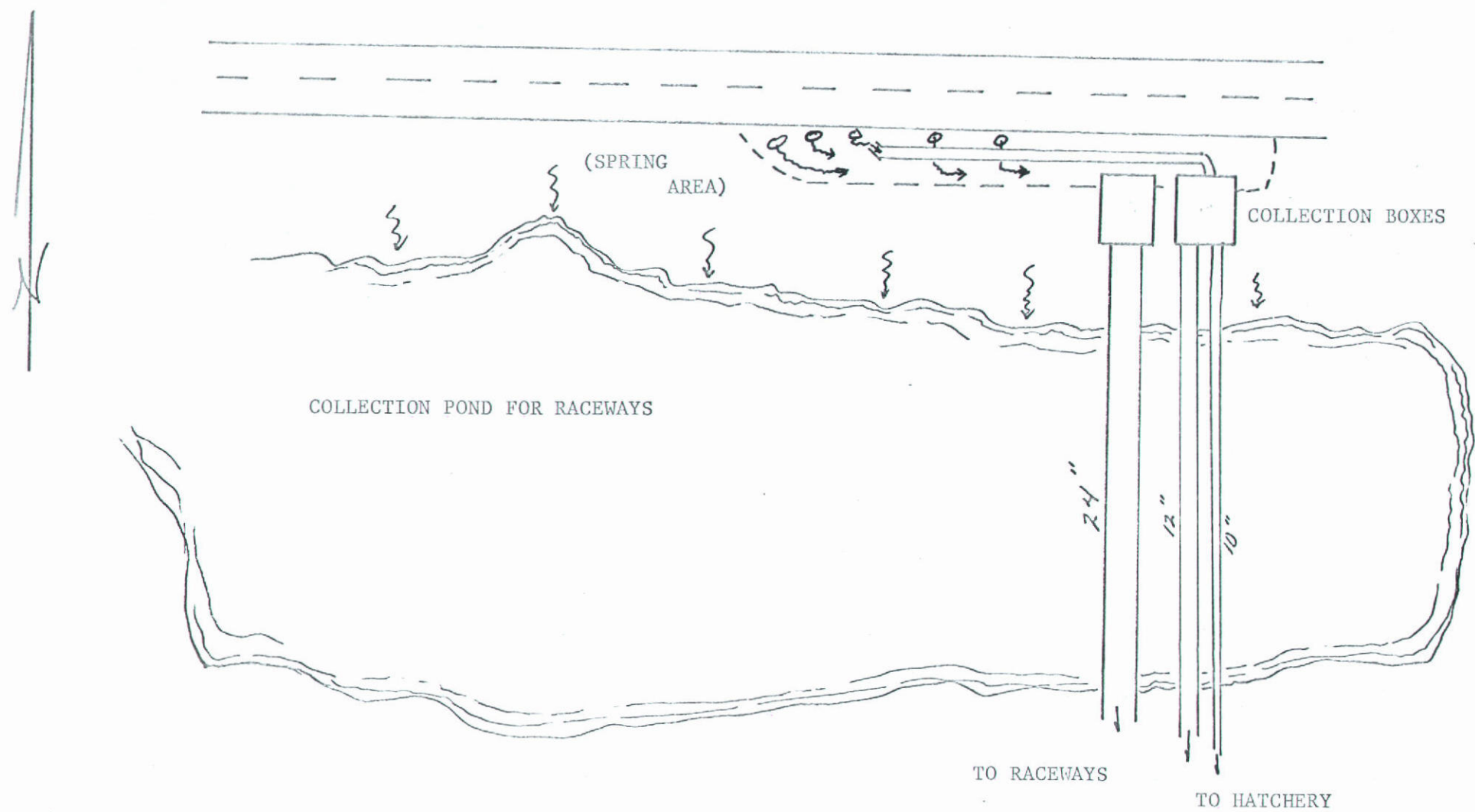


WEIR

DISCHARGE

DISCHARGE

MICROFILMED



Affidavit of Publication

JUL 30 1971

State of Idaho, }
County of Gooding } ss.

Department of Water Administration

Alfred E. Hagen, 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 22 day

of July, 1971, and the date of the last publication

was on the 29 day of July, 1971

Alfred E. Hagen

Subscribed and sworn to before me this 29

day of July, 1971
(SEAL)

Andrew C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14¢

Lines at 10¢

TOTAL COST.....

Notice of Amendment
Title of Notice

NOTICE OF AMENDMENT TO WATER PERMIT

Notice is hereby given that Permit No. 33176/36-2659 in the name of Clear Lakes Trout Co., Inc., was issued for the diversion of 100 cubic feet per second of water from a spring, tributary to the Snake River, with point of diversion within the NW 1/4 SE 1/4 of Sec. 2, T. 9S, R. 14E, B.M., Gooding County, to be used for fish propagation purposes within the NE 1/4 SE 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 NW 1/4 SE 1/4, NE 1/4 SE 1/4, SE 1/4 NE 1/4, Sec. 2, T. 9S, R. 14E, B.M., Gooding County, to be used for fish propagation purposes within the SE 1/4 NE 1/4, N 1/2 SE 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 Dept. of Water Administration, Statehouse, Boise, Idaho, 83707, within ten days of the last date of publication of this notice.

R. Keith Higginson
Director

7-22-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
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	
insertions	10c

No 1217

36 2659

HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. HaemmerleP. O. Box 1800
Hailey, ID 83333400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

February 10, 2003

RECEIVED

FEB 10 2003

Department of Water Resources
Southern RegionHonorable D. Duff McKee
P.O. Box 941
Boise, ID 83701
VIA FAX (208) 381-0083

Re: *Water District No. 130 Dispute – Clear Lakes, Clear Springs, and Pristine Springs*

Dear Judge McKee:

The purpose of this letter is twofold. First, Jason Miciak, who had been representing Pristine Springs, Inc. ("Pristine Springs"), is on medical leave. Accordingly, I have been contacted by Pristine Springs to represent its interests. I would be happy to file a Notice of Substitution of Counsel, if required.

Second, after discussing this matter with representatives of Pristine Springs, it is no longer its intent to remain in this case. The sole interest of Pristine Springs was, and is, to support the position of Clear Lakes. At the time the Notice of Appearance was filed, it was not the intent of Pristine Springs to actively participate in this dispute, as Pristine Springs believes that Clear Lakes has very able counsel to represent and advocate its own interests. Without objection, I would file any necessary document to remove Pristine Springs from the case including filing a Notice of Withdrawal, if necessary.

On behalf of Pristine Springs, I do not wish to participate in the status conference currently set for Tuesday, February 11, 2003, at 3:00 p.m. Thank you for your consideration of this matter.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
cc: clientJohn Simpson, Esq. VIA FAX (208) 344-6034
Dan Steenson, Esq. VIA FAX (208) (208) 342-4657
Allen Merritt, IDWR VIA FAX (208) 736-3037

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
FEB 10 2003
Department of Water Resources
Cody, Idaho

IN THE MATTER OF PETITION TO)
MODIFY AMENDED WATERMASTER)
INSTRUCTIONS FOR DISTRIBUTION)
OF WATER AMONG WATER RIGHT)
NOS. 36-02659, 36-02708, 36-7004, 36-7201)
AND 36-7218 IN WATER DISTRICT NO. 130)
_____)

ORDER APPOINTING
HEARING OFFICER
AND NOTICE OF
STATUS CONFERENCE

This matter is before the Idaho Department of Water Resources ("IDWR") as a result of Clear Lakes Trout Company, Inc. ("Clear Lakes") filing a *Petition to Initiate Contested Case* ("petition") with IDWR on December 17, 2002. The Petition initiated a contested case for the purpose of seeking rescission or modification of the *Amended Watermaster Instructions for Distribution of Water Among Water Rights Nos. 36-02659, 36-02708, 36-07004, 36-7201 and 36-07218* ("Watermaster Instructions") issued by the Director of IDWR on June 13, 2002. IDWR considers the Watermaster Instructions to be final following the district court's December 12, 2002, approval of a *Stipulation for Dismissal* between Clear Lakes and IDWR, dismissing with prejudice Clear Lakes' lawsuit challenging the redistribution of water pursuant to the Watermaster Instructions. *Clear Lakes Trout Co., Inc. v. IDWR*, No. CV-02-00377 (5th Jud. Dist., Gooding Co., dismissed Dec. 12, 2002).

On December 30, 2002, IDWR served a *Notice of Contested Case And Status Conference* upon all signatories to the *Interim Stipulated Agreement For Areas Within and Near IDWR Administrative Basin 36*. The notice set a status conference in the matter to be presided over by the Director on January 10, 2003. The notice also required that any responses to the petition be filed by January 17, 2003.

On January 10, 2003, prior to the status conference, Clear Lakes filed with IDWR a *Motion to Stay Further Curtailments of Clear Lakes' Water Rights* and a *Motion For Summary Judgment* supported by the *Affidavit of Charles L. Honsinger in Support of Motion for Summary Judgment*. The filing of the two motions was not discussed at the January 10 status conference and the file does not reflect service of the motions and affidavit upon any other persons.

On January 17, 2003, Clear Springs Foods, Inc. ("Clear Springs") filed *Respondent Clear Springs Foods, Inc's Answer to Petition*. Pristine Springs filed a *Notice of Appearance* in the matter on January 16, 2003, for the purpose of supporting the Clear Lakes' petition.

Clear Lakes' *Motion to Stay* requests the independent hearing officer and/or IDWR for a stay of any actions by the watermaster for Water District 130 resulting in further curtailments of its water rights pending resolution of the issues raised by Clear Lakes' petition. On February 4, 2003, the Director sent a letter to the Watermaster for Water District No. 130 instructing the watermaster not to make further redistributions of water under the affected water rights, due to reduced spring flows, pending an opportunity for Clear Lakes to have its *Motion to Stay* heard before an appointed hearing officer, and pending further instructions from the Director. The Director has not considered the merits of the *Motion to Stay*. The Director's February 4, 2003, letter to the watermaster is not to be construed as an action based upon the merits of the *Motion to Stay*.

ORDER

IT IS HEREBY ORDERED as follows:

1. D. Duff McKee is hereby appointed to serve as hearing officer and is authorized to hear this matter, including all pending and future motions, on behalf of the Idaho Department of Water Resources pursuant to IDAPA Rules 37.01.01.410-413 and the provisions of chapter 52, title 67, Idaho Code.

2. In presiding over this matter, the hearing officer shall allow a reasonable period of time following entry of this order for the parties to file responses to any motions previously filed in this matter.

3. Pursuant to IDAPA Rule 37.01.01.602, the hearing officer shall ask IDWR to submit an agency staff memorandum or agency staff report prior to the hearing on the substantive issues in the matter.

4. The hearing officer shall prepare and issue a recommended order(s), pursuant to sections 67-5243 and 67-5248, Idaho Code, and IDAPA Rule 37.01.01.720 addressing the issues raised by the petition and the answers thereto, except that the hearing officer shall issue interlocutory orders for the purposes identified in IDAPA Rule 37.01.01.710.

Dated this 6th day of February, 2003.


Karl G. Dreher, Director

NOTICE OF STATUS CONFERENCE

NOTICE IS HEREBY GIVEN that Hearing Officer D. Duff McKee will preside over a status conference in this matter at **3:00 p.m., Tuesday, February 11, 2003**, in Conference Rooms A&B at the Department of Water Resources offices located at 1301 North Orchard St., Boise, Idaho.

The conference will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department, at telephone number (208) 327-7910 at least twenty-four (24) hours prior to the conference.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of February 2003, I caused a true and correct copy of the foregoing **Order Appointing Hearing Officer and Notice of Status Conference** to be sent by U.S. Mail, postage paid to the following:

Daniel V. Steenson, Esq.
James G. Reid, Esq.
Charles L. Honsinger, Esq.
RINGERT CLARK CHARTERED
455 S. Third, P. O. Box 2773
Boise, Idaho 83701-2773

John K. Simpson, Esq.
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

Jason Miciak, Esq.
Pristine Springs
P.O. Box 2632
Twin Falls, ID 83303

Law Office of
D. Duff McKee
P.O. Box 941
Boise, Idaho 83701

Allen D. Merritt, Manager
Department of Water Resources
Southern Regional Office
1341 Fillmore Street, Suite 20
Twin Falls, ID 83301


Deborah J. Gibson
Administrative Assistant
Department of Water Resources

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

Case No. 39576

Subcase Nos. 36-07004 & 36-02659

(Clear Lakes Trout Co., Inc.)

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

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.

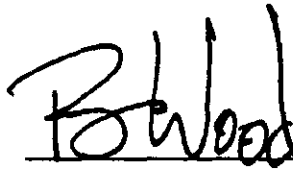
ORDER

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

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

RECEIVED

APR 11 2000

Department of Water Resources

2000 APR 10 PM 3:18
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

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 36-02659

The Notice of Challenge filed in the above subcase having been heard and ruled upon, IT IS
THEREFORE ORDERED that water right 36-02659 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

MICROFILMED
SEP 22 2003

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 36-02659

2000 APR 10 AM 10:19

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: SPRINGS TRIBUTARY: CLEAR LAKES

QUANTITY: 100.00 CFS

USE OF THIS RIGHT AND RIGHT NO. 36-07004 IS LIMITED TO THE
TOTAL COMBINED RATE OF DIVERSION OF 175 CFS.

PRIORITY DATE: 06/23/1966

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	100.00 CFS

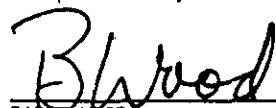
PLACE OF USE: FISH PROPAGATION Within GOODING County
T09S R14E S02 Lot 5 (SENE) Lot 6 (NESE) Lot 8 (NESE)

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

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.


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 36-02659

MICROFILMED

SEP 22 2003

PAGE 1
MAR-13-2000

This
Right has been
Decreed in the
SRBA.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-2659 Priority June 23, 1966 Amount 100.0 cfs

THIS IS TO CERTIFY, that CLEAR LAKES TROUT CO.
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 36-2659 issued pursuant to Application for Permit dated September 16, 1966,
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 Lake 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 Hatchery	from January 1 to December 31	at 100.0 cfs and	N/A
	from to	cfs and	
	from to	cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 100.0 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 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 $\frac{1}{4}$				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												

Total number of acres irrigated _____

Facility volume equals 26 acre feet

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 2nd day of
July, 19 80.

Deputy Director [Signature]

MICROFILMED

APPROVED

Permit No. 36-2659

of (address) _____

1220 Vista Ave, Boise, Idaho

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

1. Point of diversion: NW 1/4 SE 1/4, Sec. 2, T. 9 S,

14 E _____, B.M. Other points of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

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

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

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

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

3. Place of use or land to be irrigated: THIS IS TO CORRECT DESCRIPTION ON PERMIT.

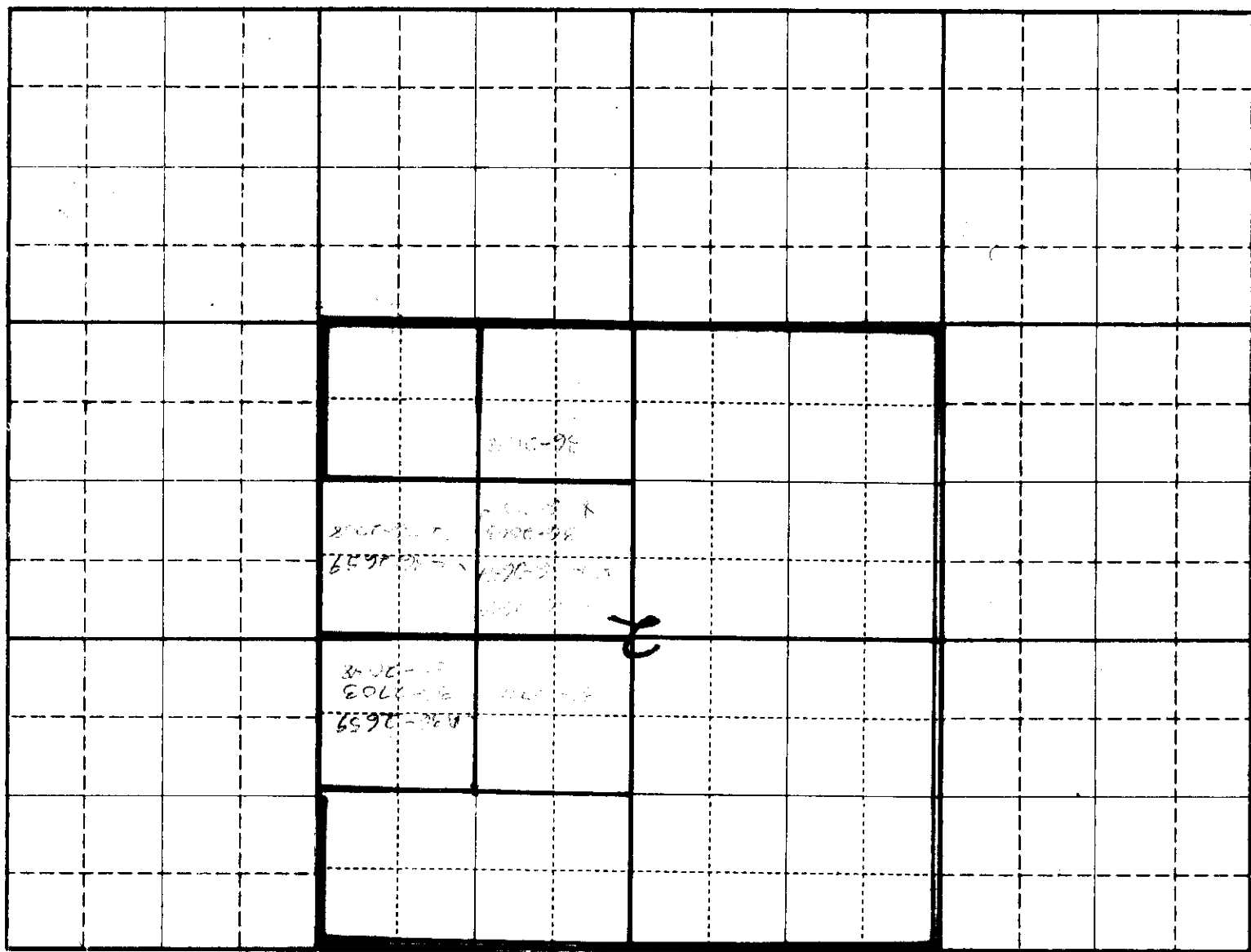
[illegible]

Total number of acres to be irrigated

36 2659

36 2659

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



Scale: 2 inches equal 1 mile

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

Signed at Boise, Idaho, this 2nd day of June, 1971.

By Carl M. Hays
(signature)
Clear Lake Reclamation Co., Inc.

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director, Dept. of Water Admin., State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. 36-2659.

Witness my hand this 16th day of August, 1971.

[Signature]
Director

22 1967

Department of Reclamation

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, Permit No. 33176 to Clear Lakes Trout Co., Inc.

Address: Route # 4, Buhl, Idaho

* _____

Richard Kaster

Permit Holder

Edith Kaster

Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of Gooding)

On this 26 day of May, 1967, before me, a Notary Public for the State of Idaho, residing at Gooding, Idaho personally appeared Richard Kaster and Edith Kaster known to me to be the person s whose name s ^{are} ~~is~~ subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Charles Shaw

Notary Public
Residing at Gooding, Idaho

My commission expires: 10-1-68

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

33176

18

RECEIVED

OCT 4 1966

Department of Reclamation

Application for Amendment

LAND LIST

Permit No. 33176

Fee \$1.00

Dec 16 33448

Comes now RICHARD KASTER, and represents

to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 33176, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE 1/4 SE 1/4 SEC 2, T9S, R14E Bm.

ORIGINAL PLACE OF USE IN ERROR

, making a total of — acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at BOISE, IDAHO this 4th day of OCTOBER, 1966

x Richard Kaster

Date of receipt at office of Department of Reclamation October 4, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

I, ~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. ~~XXXX~~ 33176. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded: October 10, 1966

R. Keith Higgins
State Reclamation Engineer

33176

✓ 33176
KR
36-2659

Application For Permit
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 41137
PERMIT No. 33176
DISTRICT No.

assignment:
Clear Lake Trust
Rt #4 - Buhl,
Idaho

1. Name of Applicant: Richard Kaster

Postoffice address: Route #4, Buhl,

County: Gooding

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand: \$500.00
- (b) Treasury stock:

- (c) Bond to be issued:
- (d) Other resources: \$35,000.00

2. Quantity of water claimed: one-hundred (100) cubic feet per second.

3. Source of water supply: spring which is a tributary of Snake River.

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

of section 2 , T. 9 S , R. 14 E , B. M., County of Gooding

5. Water is to be used for Fish Hatchery

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section of 2 , T. 9 S , R. 14 E , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to Clear Lake at a point feet
distant from the corner of Section , T. , R. , B.M., in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 2 , T. 9 S , R. 14 E , B.M.

7. Estimated cost of works: \$ 15,000.00

8. Kind of works: Dam, flumes, ponds, pipe, etc.

9. Height of dam 9 feet; length of dam at top 100 feet; length of dam at bottom 100
feet; material used in dam: lava, rock and concrete.

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

/s/ RICHARD KASTER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: June 23, 1966 2:00 P.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33176

Recorded in Book 116 Page 33176 Approved September 16, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before November 16, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 16, 1969

The whole of said work to be completed on or before September 16, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before September 16, 1977

WITNESS My hand this 16th day of September, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th
day of September, 19 66. **STATE OF IDAHO**

(SEAL) By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLLIE
Governor.

REMARKS:

14.

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 $\frac{1}{4}$	
							FISH HATCHERY												

AMENDMENT TO LAND LIST ✓

Comes now Richard Kaster and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of permit to appropriate the Public Waters of the State of Idaho, No. 33176, and requests that the list of lands to be irrigated as described in said Permit, be changed to read as follows: NE¹/₄SE¹/₄, Section 2, T 9 S., R 14 E., B.M. (original place of use in error), making a total of - acres. That an additional amount of water is not asked for and that the rights of others will not be adversely affected thereby.

Signed at Boise, Idaho this 4th day of October, 1966.

/s/ RICHARD KASTER

Date of receipt at Department of Reclamation: October 4, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 33176. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part and said application is approved only insofar as the rights of others will not be adversely affected thereby..

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded: October 10, 1966.

ASSIGNMENT ✓

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, Permit 33176 to Clear Lakes Trout Co., Inc. of Route #4, Buhl, Idaho.

/s/ RICHARD KASTER, Permit Holder

/s/ EDITH KASTER, Wife of Permit Holder

State of Idaho))
) ss
County of Gooding))

On this 26th day of May, 1967, before me, a Notary Public for the State of Idaho, residing at Gooding, Idaho, personally appeared Richard Kaster and Edith Kaster known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ CHARLES SHAW
Notary Public residing at Gooding, Idaho

My commission expires: 10-1-68

3 JUL 19 1966
Department of Reclamation

First published in the Irriga-
tionist, Wendell, Idaho, Thurs-
day, June 30, 1966, at three
consecutive issues ending on
Thursday, July 14, 1966.

NOTICE OF APPLICATION
FOR WATER TO
BE DIVERTED FOR THE PURPOSE
OF IRRIGATION IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 4-101
IDaho CODE

NOTICE IS HEREBY GIVEN
That Richard Kaspar, of Route
4, Buhl, County of Gooding,
and State of Idaho, has made
application No. 41127 on the
24th day of June, 1966, to ap-
propriate 100 c.f.s. of water
from a spring, tributary of
Snake River, for fish hatchery
purposes.

That the point of diversion
is in the NW 1/4 SE 1/4, Sec.
2, T. 9 S., R. 14 E., B.M., Good-
ing County.

The place of use of said wa-
ter is in the NW 1/4 SE 1/4,
Sec. 2, T. 9 S., R. 14 E., B.M.,
and that the water is to be re-
turned to Clear Lake at a point
in the NW 1/4 SE 1/4, Sec. 2,
T. 9 S., R. 14 E., B.M.

That any protests against
the approval of this applica-
tion must be filed in the De-
partment of Reclamation, at
Boise, Idaho, within forty (40)
days from the date of this no-
tice, and such protest shall
state the name and address of
the protestant, and shall clear-
ly set forth his objection to the
approval of said application.

Dated this 24th day of June,
1966

E. KEITH HIGGINSON
Deputy State
Reclamation Engineer

County of Gooding } ss
STATE OF IDAHO }

I, ~~John Howard~~ ^{Joanne} Todd, being
duly sworn, say that I am the
~~manager~~ editor of THE WENDELL IRRIGA-
TIONIST, a weekly newspa-
per of general circulation pub-
lished at Wendell, in the Coun-
ty of Gooding, State of Idaho;
that the attached printed copy
hereto annexed was published
in THE WENDELL IRRIGA-
TIONIST, in the regular edition
thereof and not in a supple-
ment, for ~~three~~ consecutive
weeks, commencing on the ~~30th~~
day of ~~June~~ ^{June} 1966,
and ending on the ~~14th~~ ^{14th} day of
~~July~~ ^{July} 1966
Joanne Todd Editor

Subscribed and sworn to before
me this ~~14~~ ¹⁴ day of
~~July~~ ^{July}, 1966

Charlotte Schman

Notary Public in and for
the County of Gooding,
State of Idaho

My commission expires
~~9-30~~ ⁹⁻³⁰, 1967

33176

33176

Rec. No. 33271 given

Dec 29.75

Address all communications to

Form No. 1
5M 1-63

P. O.

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

RECEIVED
JUN 24 1966
9:30 A.M.
Department of Reclamation

Application No. 41137
Permit No. 33176
District No.

1. Name of Applicant: Richard Kaster
Post Office address: Route 4, Buhl County, Gooding State Idaho

If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of Capital stock: \$
- (c) Amount paid in: \$
- (d) Names and addresses of directors:

The financial resources of the applicant are: (a) Cash on hand: \$ 500.00

- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources: \$35000

2. Quantity of water claimed: One Hundred cubic feet per second

3. Source of water supply: spring
which is tributary of Snake River

4. Location of point of diversion: feet distant from the corner of Section 2, Twp. 9S, Rge. 14E, B. M., and is in the NW 1/4 SE 1/4 12 of Section 7E, Twp. 9S, Rge. 14E, B. M., County of Gooding

5. Water is to be used for: Fish Hatchery

6. If for any non-irrigation purpose, give:

(a) Point of use of water: feet distant from corner of Section 2, Twp. 9S, Rge. 14E, B. M., in the NW 1/4 SE 1/4 of Section 12, Twp. 9S, Rge. 14E, B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to RIFE CLEGG LAKE at a point feet distant from the corner of Section 2, Twp. 9S, Rge. 14E, B. M., in the NW 1/4 SE 1/4 of Section 12, Twp. 9S, Rge. 14E, B. M.

7. Estimated cost of works: \$ 15000

8. Kind of works: Dam, flumes, ponds, pipe etc.
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam 9 feet; length of dam at top 100 feet; length of dam at bottom 100 feet; material used in dam lava rock and concrete
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width feet; Height feet

11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;

Dimensions of flume; Diameter of pipe inches;

Length of conduit miles. Average grade per mile feet.

33176

12. The time required for the completion of such work is five years.
13. The time required for the complete application of the water to the proposed use is six additional years.
14. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated.....

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

33176

16. (a) Is reservoir to be used? no (If so, fill in (b) and (c) below.)
(b) Name of reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks:

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.

Richard Kauter

Applicant.

By, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, ..., of, County of, State of, do hereby certify that I am the owner of the land on which the spring mentioned in the application of is located, to-wit: and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

)
) ss.

County of

On this day of, 19....., before me, a Notary Public for the State of Idaho, residing at, personally appeared known to me to be the person... whose name.... subscribed to the foregoing certificate, and acknowledged to me that he.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires

331760

Approval of State Reclamation Engineer

The number of this permit is 33176 SEP 16 1966
Recorded in Book 116 Page 33176 Approved
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$..... to be filed before.....
Work to begin on or before November 16, 1966, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.
One-fifth of the work above specified to be completed on or before March 16, 1969
The whole of said work to be completed on or before September 16, 1971
Beneficial use of water appropriated in accordance herewith, to be made on or before September 16, 1977
Witness my hand this 16th day of September, 19 66

R. Keith Higgins
State Reclamation Engineer.
IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE Governor of the State of Idaho,
and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th day of September, 19 66

Countersigned:

By

Secretary of State

STATE OF IDAHO

By

Governor.

No. 33176

PERMIT

Date of first receipt at office of State
Reclamation Engineer

June 23, 1966 2:00 P.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 29.75

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33176

Rick & Kaster

[illegible]

33176

This
Right has been
Decreed in the
SRBA.

MICROFILMED

SEP 22 2003

6

REPORT ON WATER MEASUREMENT AND DISTRIBUTION

PREPARED FOR

CLEAR LAKES TROUT COMPANY

AND

CLEAR SPRINGS TROUT COMPANY

BUHL, IDAHO

BY

C.E. BROCKWAY, P.E.

AND

KEITH E. ANDERSON, P.E.

DECEMBER 1988

MICROFILMED
SEP 22 2003

INTRODUCTION

Water distribution from the common pool, currently supplying the majority of water for commercial fish production at Clear Springs Trout Company and Clear Lakes Trout Company, is governed by a distribution "agreement" based on water permit amounts and priorities. Up to a total discharge of 375 cfs, Clear Springs Trout Company is entitled to 53.33 percent of the flow and Clear Lakes Trout Company is entitled to the remaining flow or 46.67 percent. Above a total discharge of 375 cfs, Clear Lakes Trout Company is entitled to 175 cfs maximum and all of the remainder is available to Clear Springs Trout Company.

DISTRIBUTION FACILITIES

In order to effect the division of water from the main pool, four weirs were constructed at the outlet. Two weirs, a nominal 22-ft and a nominal 10-ft weir divert to the main Clear Springs headworks. A nominal 8-ft and adjustable 6-ft weir divert to the Clear Lakes facility. The total water supply for Clear Springs Trout Company included in the "agreement" includes the following:

1. Discharge from the pool through the 22-ft weir
2. Discharge from the pool through the 10-ft weir
3. Discharge through the buried 10-inch diameter pipe to the hatchery holding pond
4. Discharge through two small buried pipes into the main headrace
5. Discharge into the "wet lab" at the research center from the collector above the county road.

Discharge for Clear Lakes Trout Company included in the "agreement" includes the following:

1. Discharge measured through the six (6), 10-foot weirs at the outlet from the east ponds
2. Discharge through the 40-inch weir near the hatchery holding ponds, identified as the "west weir"
3. Discharge to the holding pond sorting trough through a perforated 10-inch PVC pipe.

STATEMENT OF THE PROBLEM

Proper distribution of the total flow depends on accurate measurement of all component flows and efficient regulation of the division of flows from the main pool. The water measurement devices currently in place are capable of measuring the flows within the accuracies expected of any reasonable field installations. It should be noted that expected accuracies of field weir installations are at best within plus or minus 5 percent or less.

In order to assure accurate and equitable water distribution, all measuring devices should be properly maintained and be accessible to operators from both companies on a reasonable basis. In addition, all measuring devices should be believable by all parties so that distribution of the total flow can be on the basis of gage readings and associated discharges and not plagued with distrust over the devices.

Fluctuations in total spring flow available to both facilities occur throughout the year. The minimum flow generally occurs during April or May and maximum flow occurs during September or October, just after the irrigation season. For purposes of regulation between users, evaluation and adjustment, if required, should occur at least quarterly (April-July-October-January). The attached hydrographs of Box Canyon and Blue Lakes Springs are typical of spring flows from the Snake Plain aquifer.

Preparation of the weir rating tables and curves included in this report were based upon field surveys made by the authors on August 2, 1988, using standard weir discharge formulas (corrected for velocity of approach where applicable).

RECOMMENDED MEASUREMENT AND ADJUSTMENT PROCEDURE

1. Determination of total Clear Springs discharge
 - a. Read staff gage in main Clear Springs pool above 22-ft weir.
 - b. Determine discharge through 22-ft and 10-ft Clear Springs weirs from combined discharge table.
 - c. Add one (1) cfs to account for discharge of pipe into Clear Springs holding ponds and minor flow from pipes into headrace (if pipes are flowing).

- d. Read the weir measuring the discharge from the wet lab at the Clear Springs Research Laboratory.
 - e. Determine the discharge for the wet lab effluent, from the table for the Clear Springs wet lab weir, or use the average flow estimated at 0.5 cfs.
 - f. Sum of these three entries is the total Clear Springs discharge.
2. Determination of total Clear Lakes discharge
- a. Read staff gage in pool above 40-inch west weir.
 - b. Determine discharge through west weir from table for Clear Lakes west weir discharge.
 - c. Read staff gages on each of the six 10-ft Clear Lakes east weirs.
 - d. Determine the discharge through each of the six Clear Lakes east weirs from the table for Clear Lakes east weirs.
 - e. Add 0.20 cfs to account for flow in the hatchery holding ponds through the perforated PVC pipe (if operating).
 - f. Add the discharge from each of the six east weirs, the west weir, and the hatchery pipe to determine the total Clear Lakes discharge.

ADJUSTMENT OF DISCHARGE

- a. Add the total of Clear Springs and Clear Lakes discharge to determine total spring flow.
- b. If the total flow is less than 375 cfs, multiply the total flow by 0.5333 to determine the Clear Springs allowable discharge and multiply the total flow by 0.4667 to determine the Clear Lakes allowable flow. If the total discharge is greater than 375 cfs, the Clear Lakes allowable flow is 175 cfs and all remaining flow is to Clear Springs.
- c. If the Clear Springs and Clear Lakes measured total discharges are within 5 cfs of the allowable flows, then no adjustment should be made at that time.

MICROFILMED

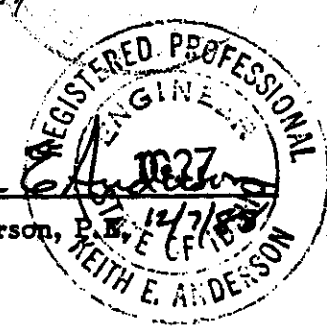
SEP 22 2003

- d. If an adjustment is required, determine the required increase or decrease in Clear Lakes flow to meet the discharges as required under the "agreement" which was calculated in step b. above.
- e. Read the staff gage on the 6 (six)-foot adjustable weir diverting to Clear Lakes from the main pool.
- f. Determine the discharge through the 6 (six)-foot adjustable weir, based on the staff gage reading, using the table for the six (6)-foot adjustable weir.
- g. Add or subtract the required change in Clear Lakes discharge as determined in step d. to the 6 (six)-foot adjustable weir discharge and determine the staff gage reading required to permit this discharge as determined from the table for the 6 (six)-foot adjustable weir.
- h. Adjust the 6 (six)-foot adjustable weir up or down with the handwheel to achieve the required staff gage reading as determined in step g.

This procedure could be repeated, if necessary, after allowing sufficient time for the change in discharge to progress through the system. However, it is unlikely that the differences would warrant additional changes.

C. E. Brockway 1/20/99
C. E. Brockway, P.E.

Keith E. Anderson
Keith E. Anderson, P.E.
12/7/88



MICROFILMED
SEP 22 2003

CLEAR SPRINGS-CLEAR LAKES FLOW DISTRIBUTION

A. CLEAR SPRINGS DISCHARGE

1. Combined 22- and 10-ft weirs gage _____ ft _____ cfs
2. Hatchery and seep pipes (1.0 cfs if flowing) _____ cfs
3. Wet lab weir gage _____ ft (or 0.5 cfs) _____ cfs
- Total Clear Springs Discharge _____ cfs

B. CLEAR LAKES DISCHARGE

1. East Weirs
No. 1 gage _____ ft _____ cfs
No. 2 gage _____ ft _____ cfs
No. 3 gage _____ ft _____ cfs
No. 4 gage _____ ft _____ cfs
No. 5 gage _____ ft _____ cfs
No. 6 gage _____ ft _____ cfs
Total of six east weirs _____ cfs
2. West weir gage _____ ft _____ cfs
3. Hatchery pipe (0.2 cfs if flowing) _____ cfs
- Total Clear Lakes Discharge _____ cfs

C. TOTAL COMBINED DISCHARGE (Clear Springs plus Clear Lakes) _____ cfs

D. ALLOWABLE DISCHARGES UNDER "AGREEMENT"

1. Clear Lakes Trout Co.
Total Combined Discharge x 0.4667 _____ cfs
(maximum 175 cfs allowable)
2. Clear Springs Trout Co.
Total Combined Discharge minus allowable
Clear Lakes Trout Co. discharge _____ cfs
3. Difference between Clear Lakes measured and
allowable discharge _____ cfs
(if 5 cfs or less, do not adjust flow)

E. DISCHARGE ADJUSTMENT (IF REQUIRED)

1. Clear Lakes adjustable weir gage _____ ft _____ cfs
2. Correction required (+ or - from D.3 above) _____ cfs
3. New adjustable weir gage needed _____ ft _____ cfs

MICROFILMED
SEP 22 2003

CLEAR SPRINGS - Combined Weirs

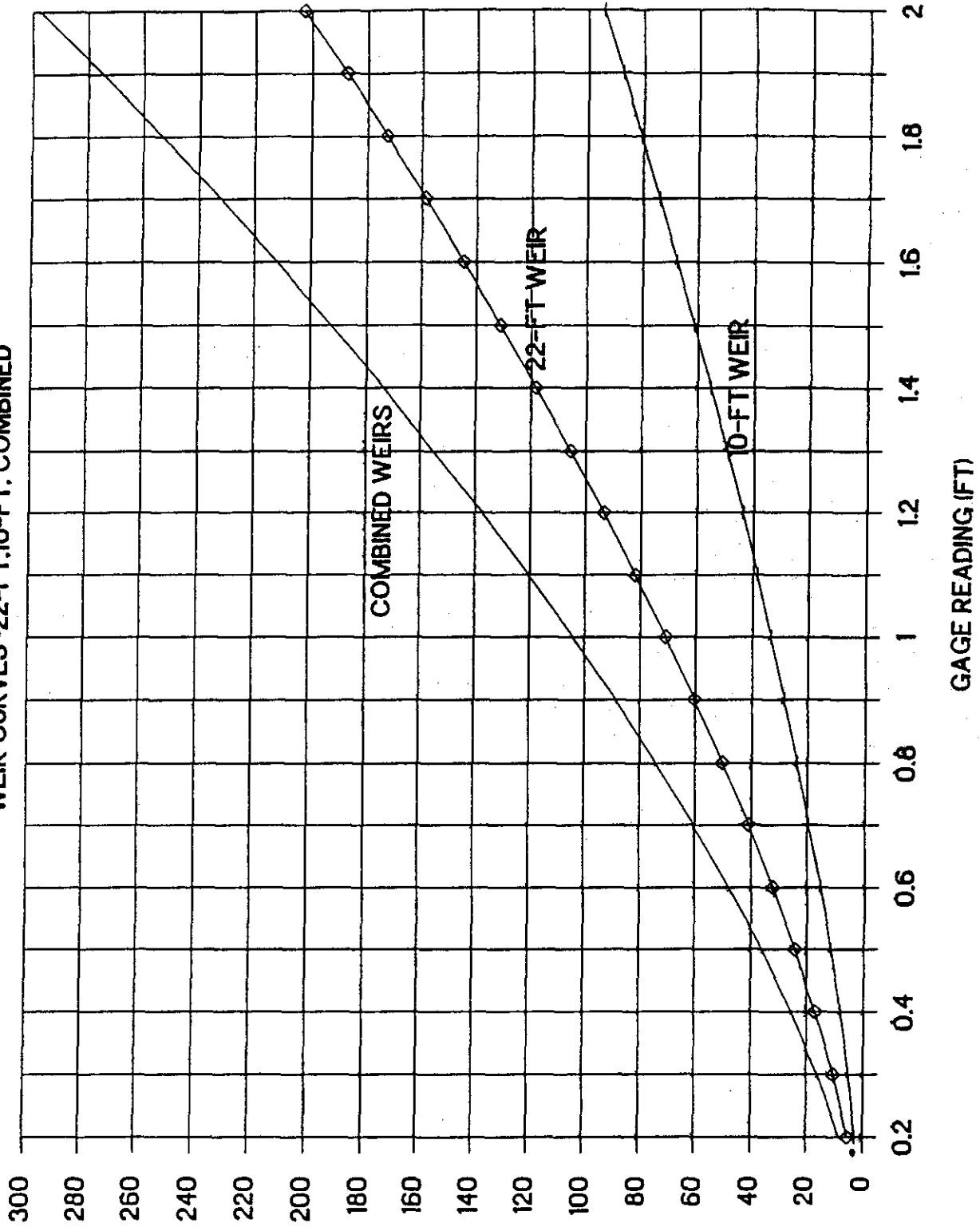
DISCHARGE (CFS)

GAGE READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.2 :	8.58	9.28	10.00	10.73	11.48	12.25	13.04	13.84	14.65	15.49
0.3 :	16.33	17.20	18.07	18.96	19.87	20.79	21.72	22.67	23.63	24.60
0.4 :	25.59	26.59	27.60	28.62	29.66	30.71	31.77	32.84	33.93	35.02
0.5 :	36.13	37.25	38.38	39.52	40.67	41.83	43.01	44.19	45.39	46.60
0.6 :	47.81	49.04	50.28	51.52	52.78	54.05	55.32	56.61	57.91	59.22
0.7 :	60.53	61.86	63.19	64.54	65.89	67.26	68.63	70.01	71.40	72.80
0.8 :	74.21	75.63	77.05	78.49	79.93	81.39	82.85	84.32	85.80	87.28
0.9 :	88.78	90.28	91.80	93.32	94.84	96.38	97.93	99.48	101.04	102.61
1.0 :	104.19	105.77	107.37	108.97	110.58	112.19	113.82	115.45	117.09	118.74
1.1 :	120.39	122.05	123.72	125.40	127.09	128.78	130.48	132.18	133.90	135.62
1.2 :	137.35	139.08	140.83	142.58	144.34	146.10	147.87	149.65	151.44	153.23
1.3 :	155.03	156.83	158.65	160.47	162.29	164.13	165.97	167.82	169.67	171.53
1.4 :	173.40	175.27	177.15	179.04	180.94	182.84	184.74	186.66	188.58	190.50
1.5 :	192.44	194.37	196.32	198.27	200.23	202.20	204.17	206.14	208.13	210.12
1.6 :	212.11	214.12	216.12	218.14	220.16	222.19	224.22	226.26	228.30	230.35
1.7 :	232.41	234.47	236.54	238.62	240.70	242.79	244.88	246.98	249.08	251.19
1.8 :	253.31	255.43	257.56	259.69	261.83	263.98	266.13	268.28	270.45	272.61
1.9 :	274.79	276.97	279.15	281.34	283.54	285.74	287.95	290.16	292.38	294.60
2.0 :	296.83	299.07	301.31	303.56	305.81	308.06	310.33	312.59	314.87	317.15

MICRO
SEP 22 2003

CLEAR SPRINGS TROUT COMPANY

WEIR CURVES-22-FT.10-FT. COMBINED



DISCHARGE (CFS)
MICROFILM

CLEAR SPRINGS - 22-Ft. Weir

GAGE READING	DISCHARGE (CFS)									
	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.2 :	5.60	6.07	6.55	7.05	7.56	8.08	8.61	9.16	9.71	10.27
0.3 :	10.85	11.44	12.03	12.64	13.25	13.88	14.51	15.16	15.81	16.48
0.4 :	17.15	17.83	18.52	19.21	19.92	20.64	21.36	22.09	22.83	23.58
0.5 :	24.33	25.10	25.87	26.64	27.43	28.22	29.03	29.83	30.65	31.47
0.6 :	32.30	33.14	33.99	34.84	35.70	36.56	37.43	38.31	39.20	40.09
0.7 :	40.99	41.90	42.81	43.73	44.65	45.58	46.52	47.46	48.42	49.37
0.8 :	50.33	51.30	52.28	53.26	54.25	55.24	56.24	57.24	58.25	59.27
0.9 :	60.29	61.32	62.35	63.39	64.44	65.49	66.54	67.60	68.67	69.74
1.0 :	70.82	71.90	72.99	74.09	75.19	76.29	77.40	78.52	79.64	80.76
1.1 :	81.90	83.03	84.17	85.32	86.47	87.63	88.79	89.96	91.13	92.31
1.2 :	93.49	94.67	95.87	97.06	98.26	99.47	100.68	101.90	103.12	104.34
1.3 :	105.57	106.81	108.05	109.29	110.54	111.79	113.05	114.31	115.58	116.85
1.4 :	118.13	119.41	120.69	121.98	123.28	124.58	125.88	127.19	128.50	129.82
1.5 :	131.14	132.46	133.79	135.13	136.46	137.81	139.15	140.50	141.86	143.22
1.6 :	144.58	145.95	147.32	148.70	150.08	151.47	152.86	154.25	155.65	157.05
1.7 :	158.45	159.86	161.28	162.69	164.12	165.54	166.97	168.40	169.84	171.28
1.8 :	172.73	174.18	175.63	177.09	178.55	180.02	181.49	182.96	184.44	185.92
1.9 :	187.40	188.89	190.38	191.88	193.38	194.88	196.39	197.90	199.42	200.94
2.0 :	202.46	203.99	205.52	207.05	208.59	210.13	211.67	213.22	214.77	216.33

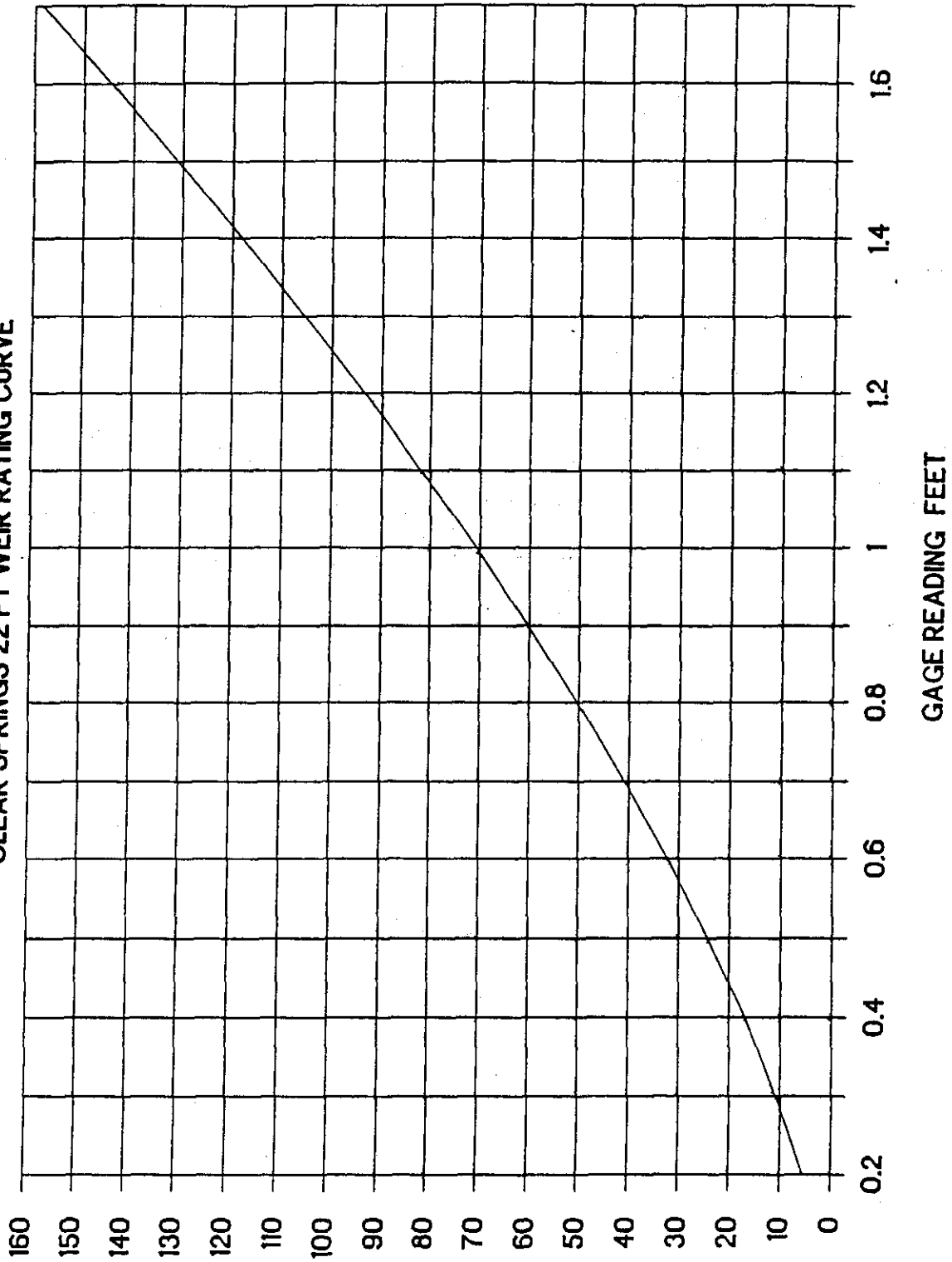
CLEAR SPRINGS - 10-Ft. Weir

GAGE READING	DISCHARGE (CFS)									
	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.2 :	2.98	3.21	3.44	3.68	3.92	4.17	4.42	4.68	4.94	5.21
0.3 :	5.48	5.76	6.04	6.33	6.62	6.91	7.21	7.51	7.82	8.13
0.4 :	8.44	8.76	9.08	9.41	9.74	10.07	10.41	10.75	11.10	11.44
0.5 :	11.80	12.15	12.51	12.87	13.24	13.61	13.98	14.36	14.74	15.12
0.6 :	15.51	15.90	16.29	16.68	17.08	17.49	17.89	18.30	18.71	19.12
0.7 :	19.54	19.96	20.38	20.81	21.24	21.67	22.11	22.54	22.99	23.43
0.8 :	23.88	24.32	24.78	25.23	25.69	26.15	26.61	27.08	27.54	28.02
0.9 :	28.49	28.97	29.44	29.93	30.41	30.90	31.38	31.88	32.37	32.87
1.0 :	33.37	33.87	34.37	34.88	35.39	35.90	36.41	36.93	37.45	37.97
1.1 :	38.49	39.02	39.55	40.08	40.61	41.15	41.69	42.23	42.77	43.31
1.2 :	43.86	44.41	44.96	45.52	46.07	46.63	47.19	47.75	48.32	48.89
1.3 :	49.46	50.03	50.60	51.18	51.76	52.34	52.92	53.50	54.09	54.68
1.4 :	55.27	55.87	56.46	57.06	57.66	58.26	58.86	59.47	60.08	60.69
1.5 :	61.30	61.91	62.53	63.15	63.77	64.39	65.01	65.64	66.27	66.90
1.6 :	67.53	68.16	68.80	69.44	70.08	70.72	71.36	72.01	72.66	73.31
1.7 :	73.96	74.61	75.27	75.92	76.58	77.24	77.91	78.57	79.24	79.91
1.8 :	80.58	81.25	81.93	82.60	83.28	83.96	84.64	85.32	86.01	86.70
1.9 :	87.39	88.08	88.77	89.46	90.16	90.86	91.56	92.26	92.96	93.67
2.0 :	94.37	95.08	95.79	96.51	97.22	97.94	98.65	99.37	100.09	100.82

MCA
SEP 22 2003

CLEAR SPRINGS TROUT COMPANY

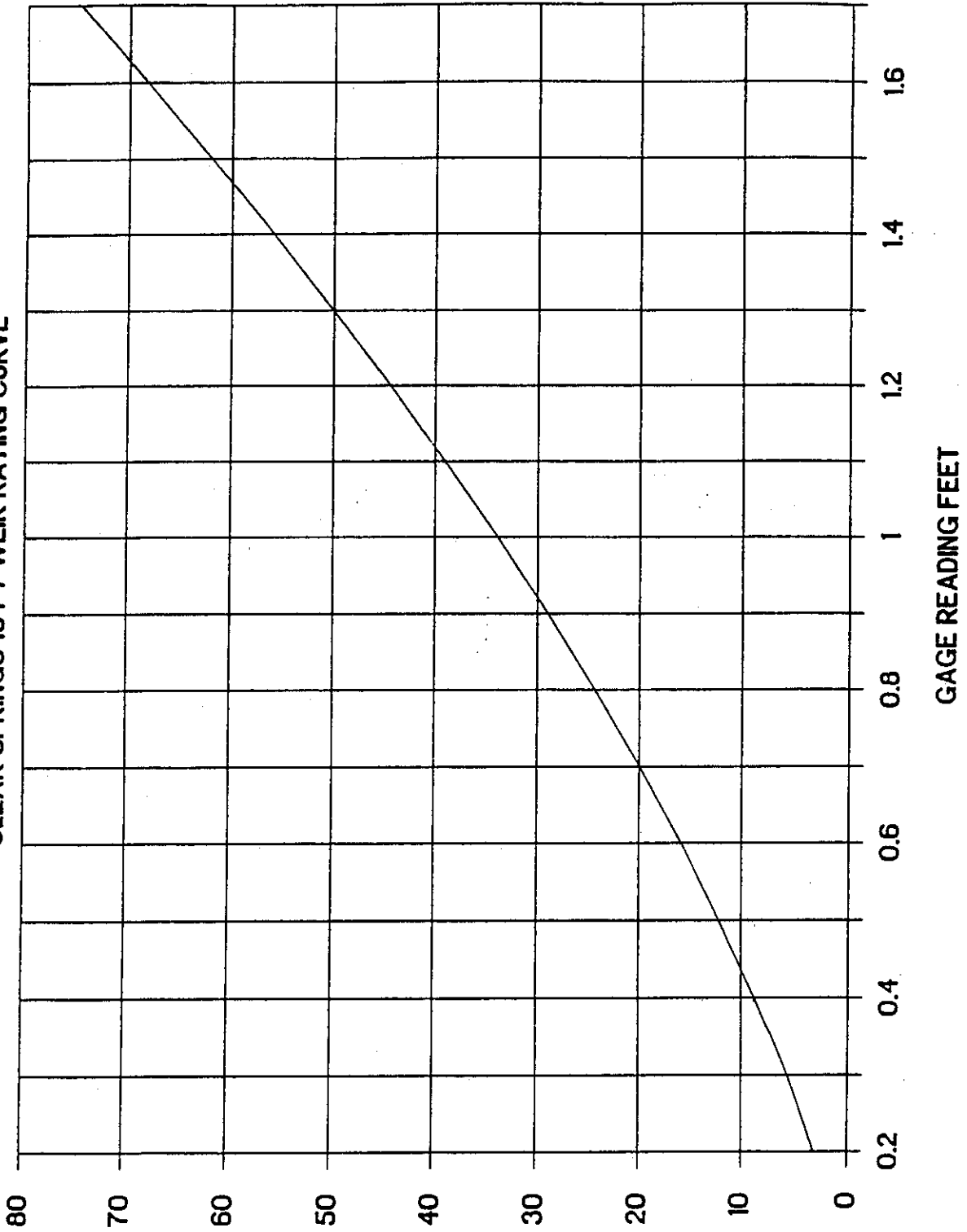
CLEAR SPRINGS 22 FT WEIR RATING CURVE



DISCHARGE CFS
SEP 22 2003
MICRO...

CLEAR SPRINGS TROUT COMPANY

CLEAR SPRINGS 10 FT WEIR RATING CURVE



MICROFILM

DISCHARGE CFS 6002 2 438
SEP 22 2003

CLEAR LAKES - 10-Ft. (East) Weirs

DISCHARGE (CFS)

(Corrected For Velocity Of Approach)

GAGE READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.3 :	5.49	5.77	6.05	6.34	6.63	6.93	7.23	7.53	7.84	8.16
0.4 :	8.48	8.80	9.12	9.45	9.79	10.13	10.47	10.81	11.16	11.52
0.5 :	11.88	12.24	12.60	12.97	13.35	13.72	14.10	14.49	14.87	15.26
0.6 :	15.66	16.06	16.46	16.86	17.27	17.68	18.10	18.52	18.94	19.36
0.7 :	19.79	20.22	20.66	21.10	21.54	21.98	22.43	22.88	23.34	23.80
0.8 :	24.26	24.72	25.19	25.66	26.13	26.61	27.09	27.57	28.06	28.55
0.9 :	29.04	29.53	30.03	30.53	31.04	31.54	32.05	32.57	33.08	33.60
1.0 :	34.12	34.65	35.17	35.70	36.24	36.77	37.31	37.85	38.40	38.95
1.1 :	39.50	40.05	40.61	41.16	41.73	42.29	42.86	43.43	44.00	44.57
1.2 :	45.15	45.73	46.32	46.90	47.49	48.08	48.68	49.27	49.87	50.47
1.3 :	51.08	51.69	52.29	52.91	53.52	54.14	54.76	55.38	56.01	56.64
1.4 :	57.27	57.90	58.54	59.18	59.82	60.46	61.11	61.75	62.41	63.06
1.5 :	63.72	64.37	65.04	65.70	66.36	67.03	67.70	68.38	69.05	69.73

CLEAR LAKES - 40-In. (West) Weir

DISCHARGE (CFS)

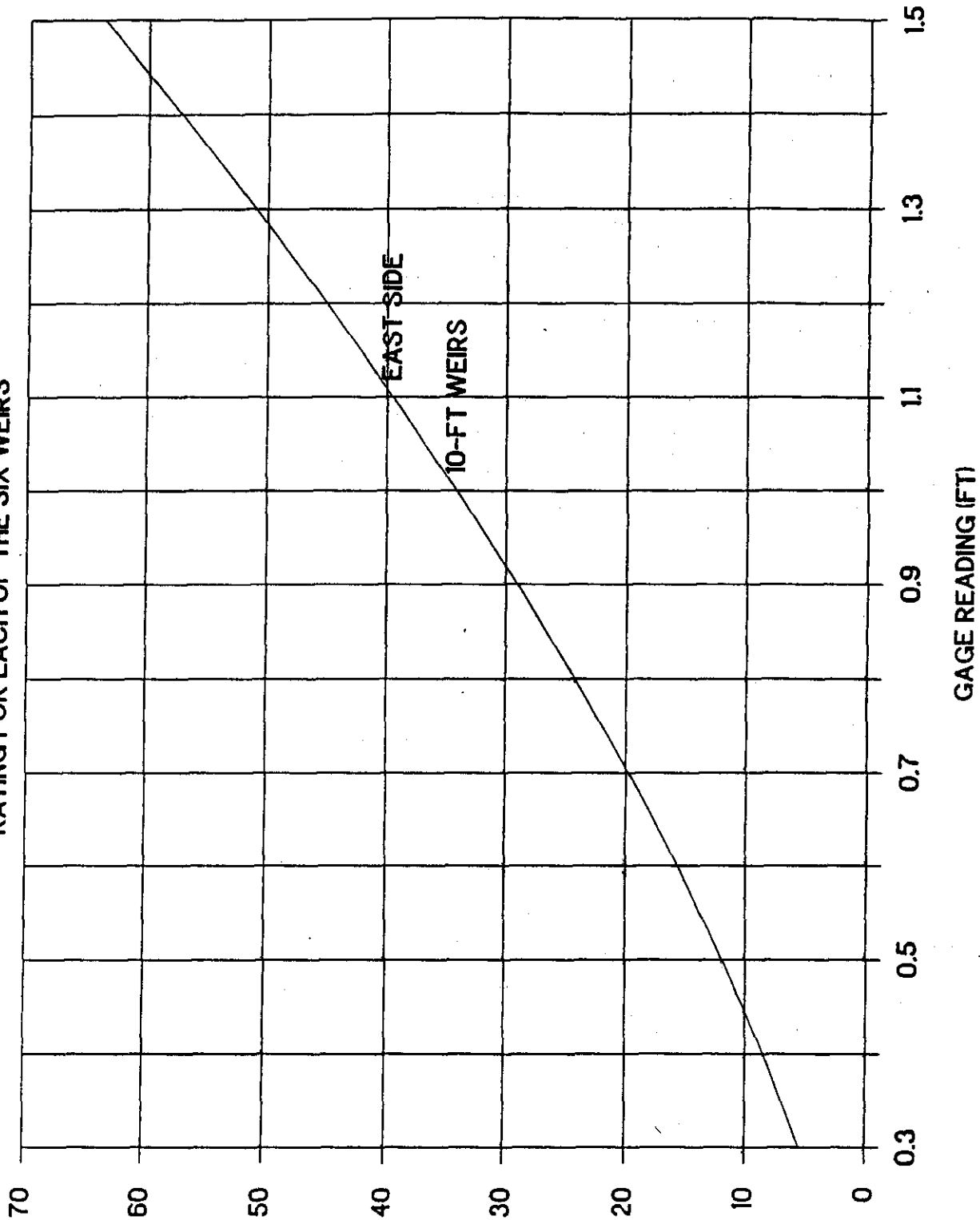
GAGE READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.5 :	3.92	4.03	4.15	4.26	4.38	4.50	4.61	4.73	4.85	4.97
0.6 :	5.09	5.22	5.34	5.46	5.59	5.72	5.84	5.97	6.10	6.23
0.7 :	6.36	6.49	6.62	6.75	6.89	7.02	7.15	7.29	7.42	7.56
0.8 :	7.70	7.84	7.98	8.11	8.26	8.40	8.54	8.68	8.82	8.97
0.9 :	9.11	9.25	9.40	9.55	9.69	9.84	9.99	10.14	10.28	10.43
1.0 :	10.58	10.73	10.89	11.04	11.19	11.34	11.50	11.65	11.81	11.96
1.1 :	12.12	12.27	12.43	12.59	12.74	12.90	13.06	13.22	13.38	13.54
1.2 :	13.70	13.86	14.02	14.19	14.35	14.51	14.68	14.84	15.00	15.17
1.3 :	15.33	15.50	15.67	15.83	16.00	16.17	16.34	16.50	16.67	16.84
1.4 :	17.01	17.18	17.35	17.52	17.69	17.87	18.04	18.21	18.38	18.56
1.5 :	18.73	18.90	19.08	19.25	19.43	19.60	19.78	19.96	20.13	20.31
1.6 :	20.49	20.66	20.84	21.02	21.20	21.38	21.55	21.73	21.91	22.09
1.7 :	22.27	22.45	22.64	22.82	23.00	23.18	23.36	23.55	23.73	23.91
1.8 :	24.09	24.28	24.46	24.65	24.83	25.02	25.20	25.39	25.57	25.76
1.9 :	25.94	26.13	26.32	26.50	26.69	26.88	27.06	27.25	27.44	27.63
2.0 :	27.82	28.01	28.19	28.38	28.57	28.76	28.95	29.14	29.33	29.52

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SEP 22 2003

CLEAR LAKES TROUT CO -EAST SIDE WEIRS

RATING FOR EACH OF THE SIX WEIRS

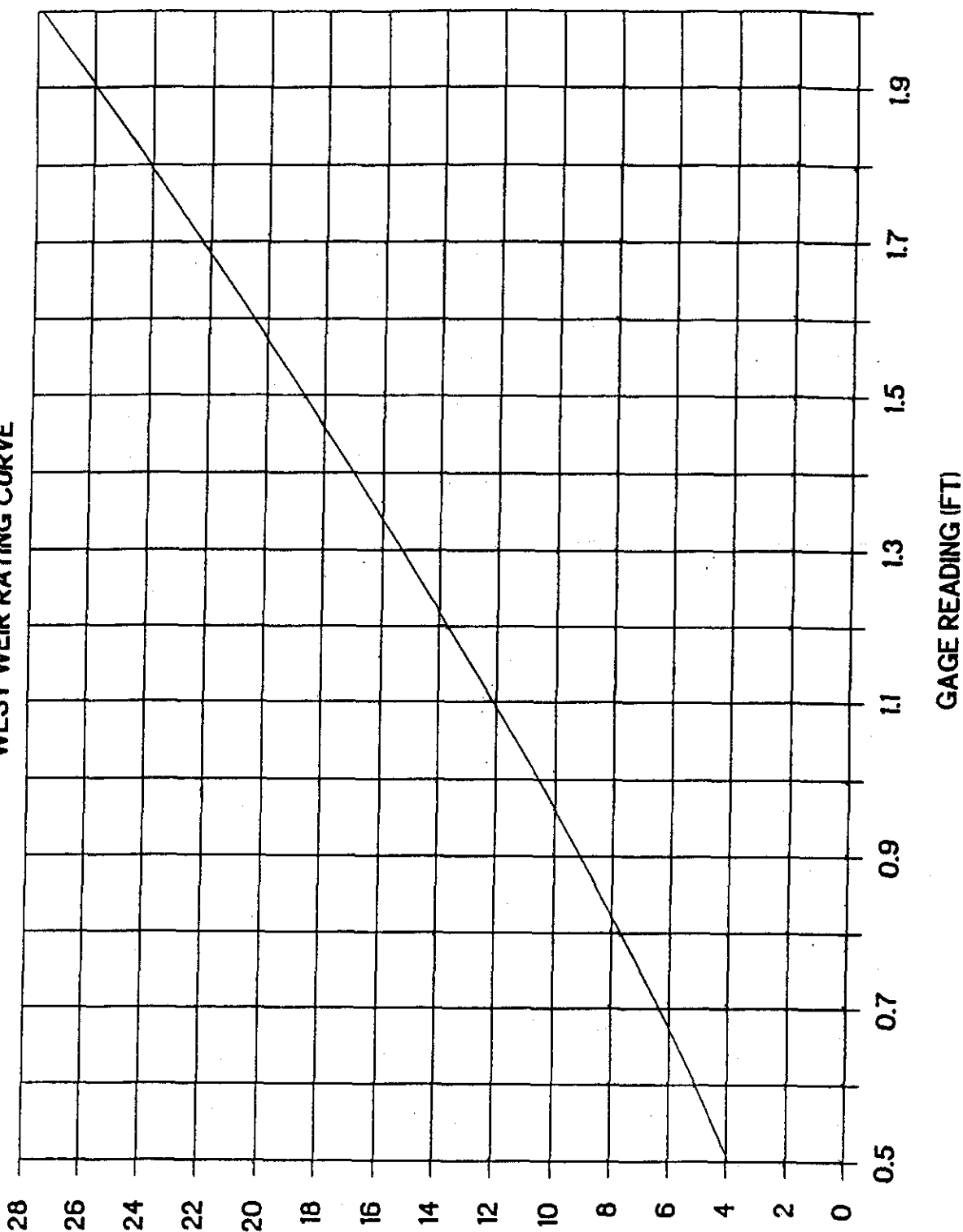


DISCHARGE (CFS)

SEP 22 2003
MICROFILMED

CLEAR LAKES TROUT COMPANY

WEST WEIR RATING CURVE



DISCHARGE (CFS)

SEP 22 2003
MICROFILM

CLEAR LAKES - 6-Ft. Adjustable Weir

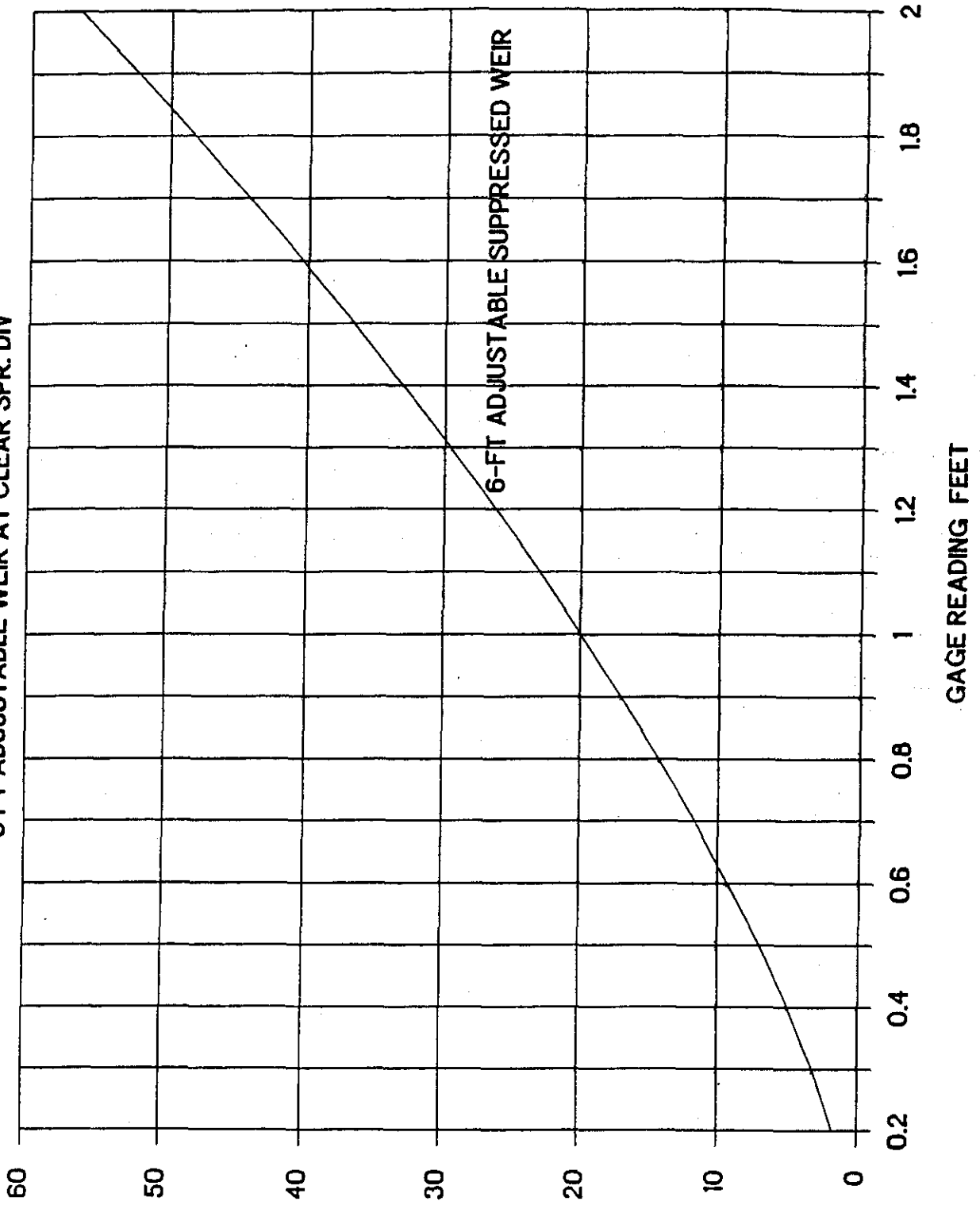
DISCHARGE (CFS)

GAGE READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.2 :	1.79	1.92	2.06	2.20	2.35	2.50	2.65	2.80	2.96	3.12
0.3 :	3.28	3.45	3.62	3.79	3.96	4.14	4.32	4.50	4.68	4.87
0.4 :	5.05	5.25	5.44	5.63	5.83	6.03	6.23	6.44	6.64	6.85
0.5 :	7.06	7.28	7.49	7.71	7.93	8.15	8.37	8.60	8.83	9.05
0.6 :	9.29	9.52	9.75	9.99	10.23	10.47	10.71	10.96	11.20	11.45
0.7 :	11.70	11.95	12.21	12.46	12.72	12.98	13.24	13.50	13.76	14.03
0.8 :	14.30	14.57	14.84	15.11	15.38	15.66	15.93	16.21	16.49	16.78
0.9 :	17.06	17.34	17.63	17.92	18.21	18.50	18.79	19.09	19.38	19.68
1.0 :	19.98	20.28	20.58	20.89	21.19	21.50	21.80	22.11	22.42	22.74
1.1 :	23.05	23.37	23.68	24.00	24.32	24.64	24.96	25.29	25.61	25.94
1.2 :	26.26	26.59	26.92	27.26	27.59	27.92	28.26	28.60	28.93	29.27
1.3 :	29.61	29.96	30.30	30.65	30.99	31.34	31.69	32.04	32.39	32.74
1.4 :	33.10	33.45	33.81	34.17	34.53	34.89	35.25	35.61	35.97	36.34
1.5 :	36.71	37.07	37.44	37.81	38.18	38.56	38.93	39.30	39.68	40.06
1.6 :	40.44	40.82	41.20	41.58	41.96	42.35	42.73	43.12	43.51	43.90
1.7 :	44.29	44.68	45.07	45.46	45.86	46.25	46.65	47.05	47.45	47.85
1.8 :	48.25	48.65	49.06	49.46	49.87	50.28	50.68	51.09	51.50	51.91
1.9 :	52.33	52.74	53.16	53.57	53.99	54.41	54.83	55.25	55.67	56.09
2.0 :	56.51	56.94	57.36	57.79	58.22	58.64	59.07	59.50	59.94	60.37

MICROFILM
SEP 22 2003

CLEAR LAKES TROUT COMPANY

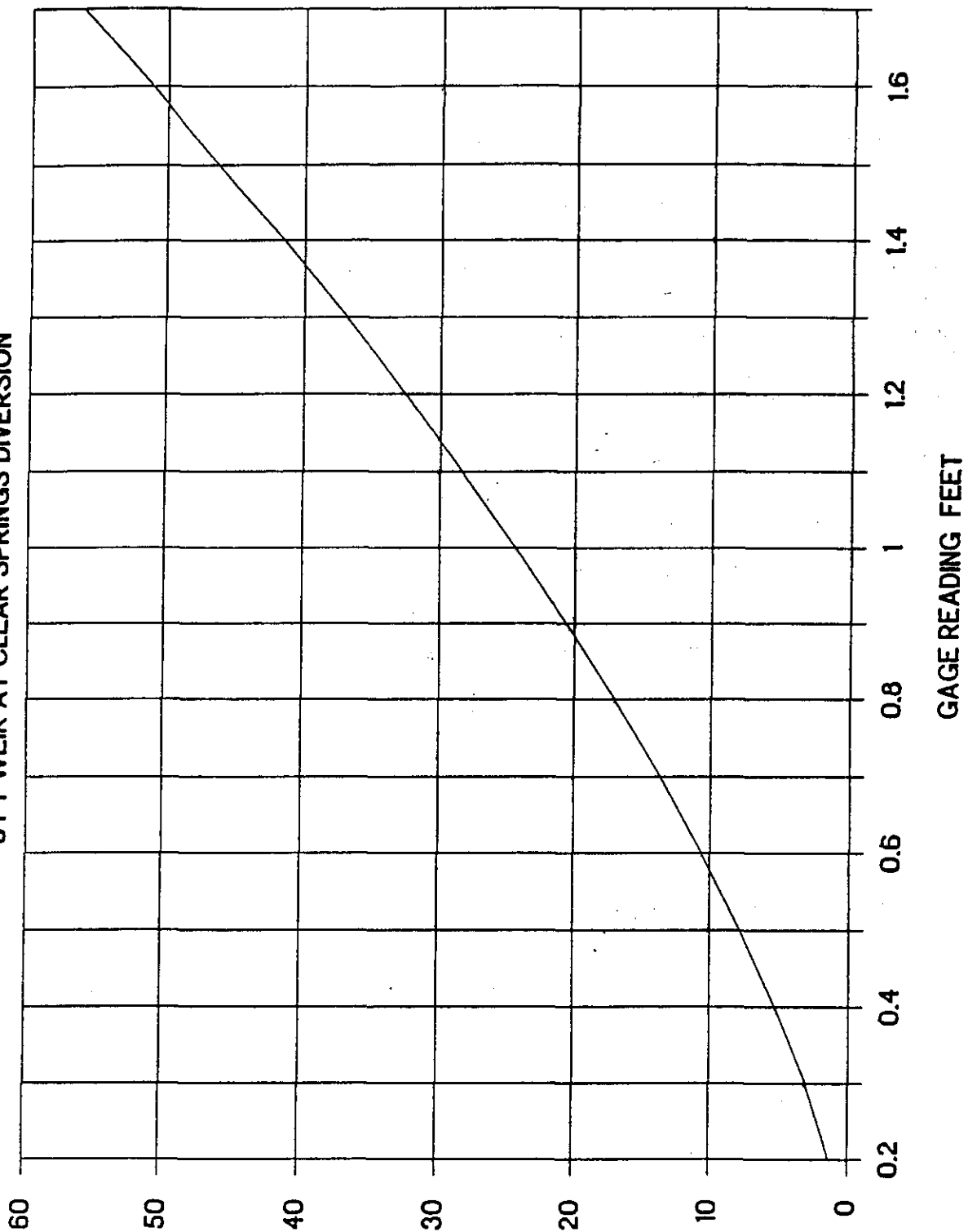
6 FT ADJUSTABLE WEIR AT CLEAR SPR. DIV



SEP 22 2003
DISCHARGE CFS
MICROPILOT

CLEAR LAKES TROUT COMPANY

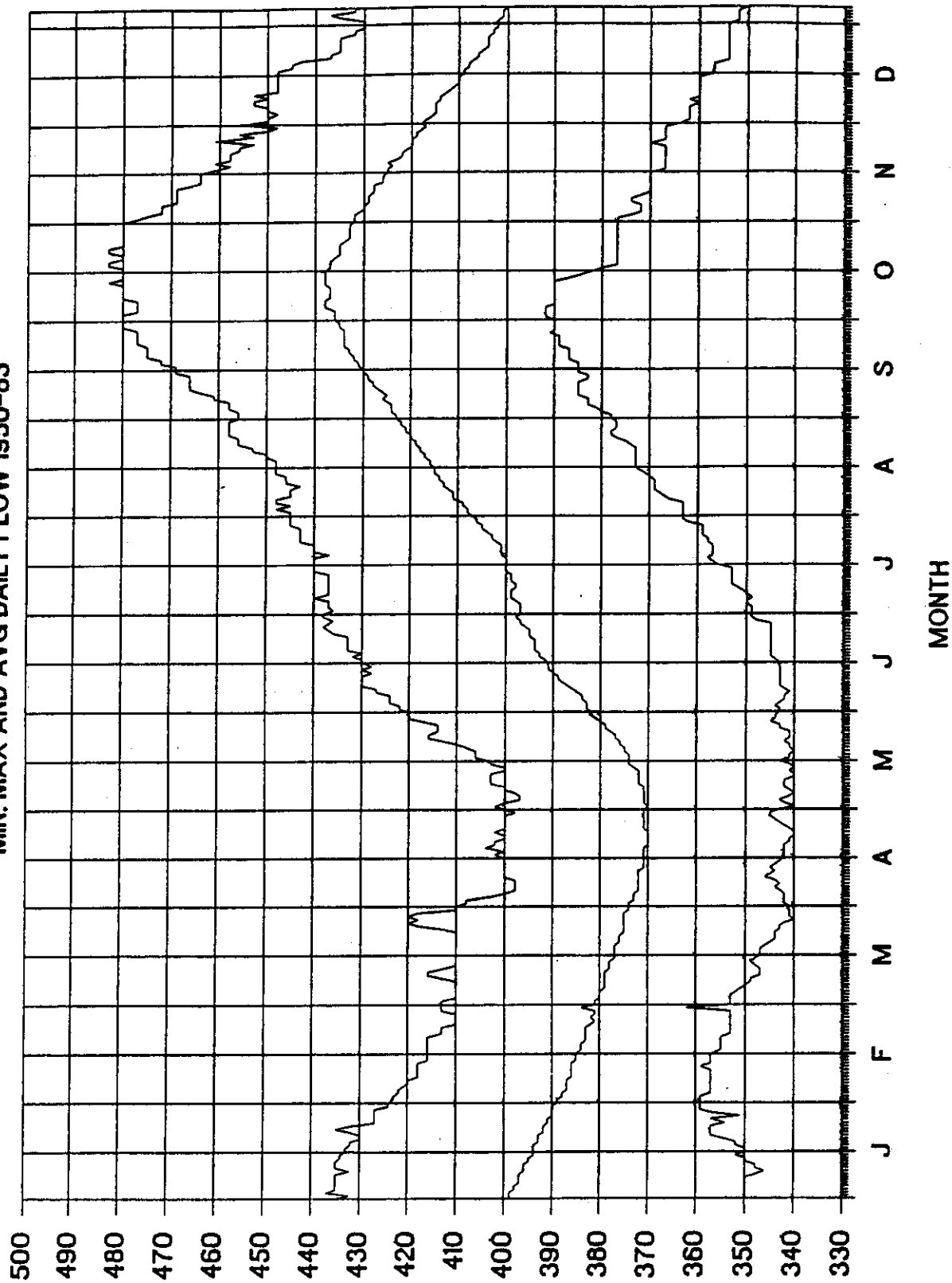
8 FT WEIR AT CLEAR SPRINGS DIVERSION



DISCHARGE CFS
SEP 22 2003
MICROCHIEF

BOX CANYON SPRING

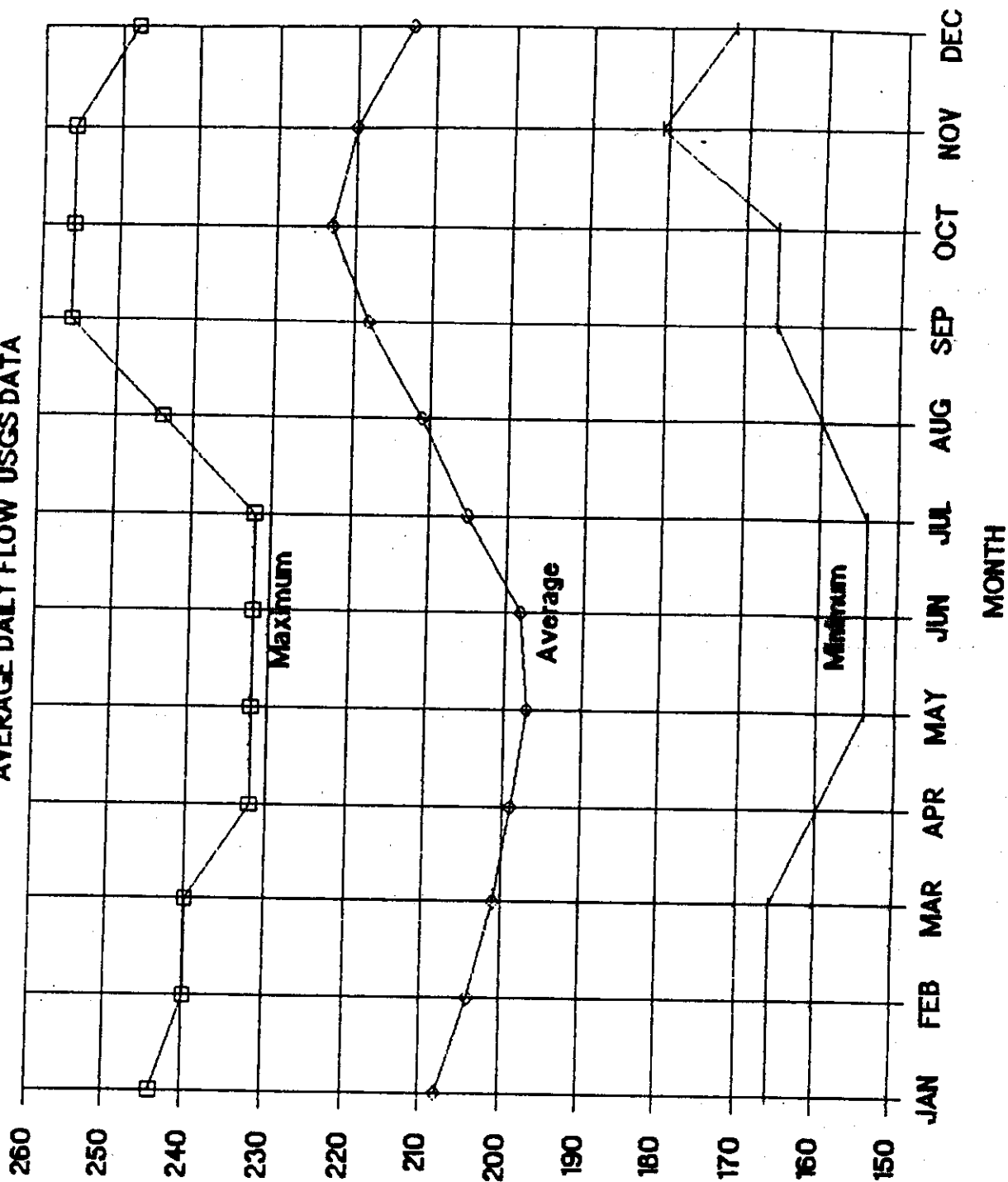
MIN. MAX AND AVG DAILY FLOW 1950-83



DISCHARGE OF SIM
SEP 22 2003

BLUE LAKES SPRING NR TWIN FALLS

AVERAGE DAILY FLOW USGS DATA



SEP 22 2003

DISCHARGE(CFS)

July 3, 1980

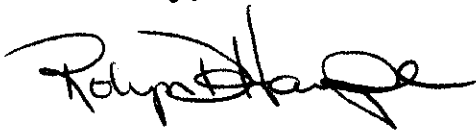
Clear Lakes Trout Company, Inc.
1220 Vista Ave.
Boise, ID 83705

Dear Sir,

RE: Licence No. 36-2659

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

Sincerely,



Robyn D. Hampe
Chief Clerk

rdh/rdh
Enclosures

MICROFILMED

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.

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

35
2

Lava Stone

DEC 5 1967

Departn.
Southern

Lot 4

Lot 3

Lot 2

Lot 1

Lot 4

P.D. #12

Lot 5

Lot 5

2

P.D. #1

Lot 8

Lot 6

Lake

Lot 7

Lot 9

Lot 2

Lot 5

Lot 5

Lot 11

Lot 7

Lot 8

Lot 9

Lot 1

Lot 3

Lot 10

10 Ac.

20 Ac.

Water Delivery
||||| area of fish runs

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Scale in Hundreds of Feet

11

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

FIELD REPORT

1. Name of permit holder Clear Lakes Trout Co.
Post office address 1301 Vista Ave., Boise, ID 83705 Phone _____
Person to contact Earl Hardy Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Clear Lake Springs
Snake (name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 100 c.f.s. for Fish Hatchery
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 100 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 9S N/S, Range 14E E/W, B.M., Section 2, Subdivision NW $\frac{1}{4}$ SE $\frac{1}{4}$, Gooding
County

Township " N/S, Range " E/W, B.M., Section ", Subdivision NE $\frac{1}{4}$ SE $\frac{1}{4}$, "
County

Township " N/S, Range " E/W, B.M., Section ", Subdivision SE $\frac{1}{4}$ NE $\frac{1}{4}$, "
County

Other Points of Diversions: _____

Description of diverting works: impoundments and pipes

Measuring device required: yes ☐ no ☒

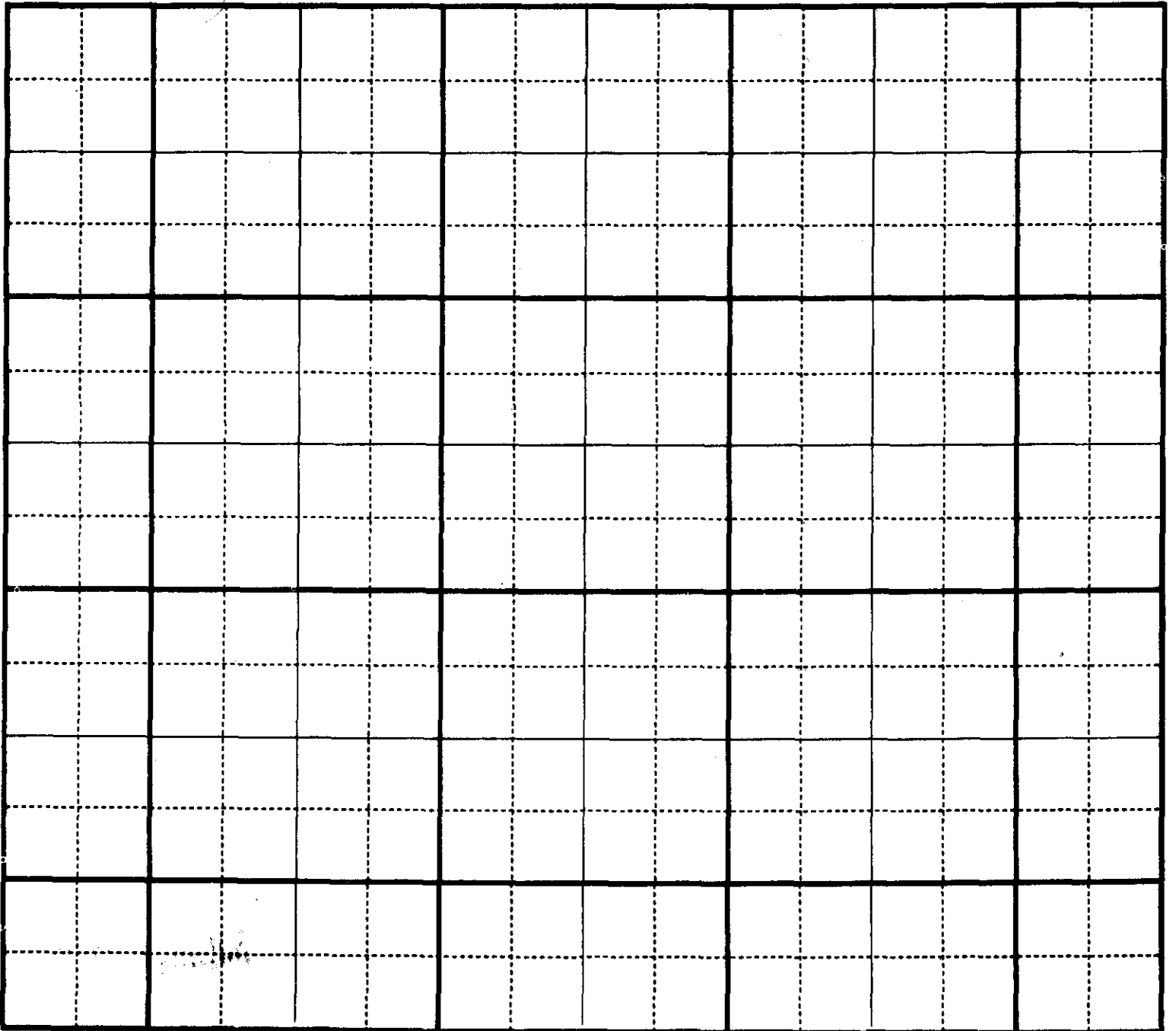
6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Permit No. 36-2659
b/u
Examination for _____

MICROFILMED

Diagram of System



DATE OF EXAM 10-25-77

ACREAGE

Found ✓

Recommended ☒

Irrigation Requirement ✓ Ac Ft/Ac

USE

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 @ = 100.0 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 x

Name source exchanged with: _____

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

County

Point of injection:

twp. _____ N/S. Rce _____ E/W. B.M., Sec. _____, Sub. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____

County

Point of exchange:

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

County

Total Q measured 180 cfs Method of measurement ⁽²⁾ Standard Rectangular
Suppressed Weirs

Total Q recommended 100' O.C.S. Meter No. K Type 12' Condition good

Total V recommended ✓

Recommended Amendments:

SEE MEMO DATED 2/21/78

P.D. ~~11/15/55~~ Sec 2 T95-R14E only

Place of Use NEARBY, NW NW, Sec 2, T9S R 14E

Other _____

None ✓

MEASUREMENT CALCULATION:

1. Weir = Hd = 1.72 Sec. Curves Computed from Francis formula = 92.5 c.f.s.

2. Weir = $Hd = 1.66$ See. Cur. Computed from Francis formula = 87.5 cfs.

SYSTEM DESCRIPTION:

water used for the Fish Hatchery is conveyed from the springs through (2) steel pipes 12" O.D. & 10" O.D. See Sheet #1. Water used for the Raceways is conveyed through (1) 2' O.D. steel pipe, (8) 2' O.D. steel culverts. See Sheet #1 & #2. The water leaves the Raceways and discharges into Clear Lake through (2) 12' concrete flumes.

REMARKS:

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

Meas: for Raceways are on Sheet # 2.

Examiner's Signature Paul Funderburg Date 10-31-77

Checked by J. G. Stanton Date 9-19-18

Approved by _____ Date _____

DATE OF EXAM _____

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

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 _____

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 _____

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

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

Total Q measured _____ Method of measurement _____

Total Q recommended _____ Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:

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

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

REMARKS:

Examiner's Signature _____ Date _____

Checked by _____ Date _____

Approved by _____ Date _____

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.

MICROFILMED

Mr. Bobby Fleenor

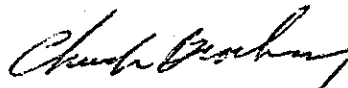
-2-

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.

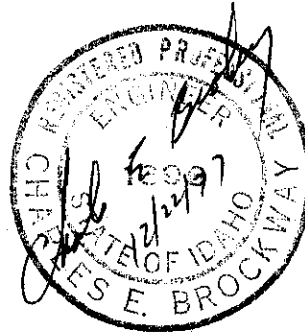
Sincerely,


C. E. Brockway, P.E.

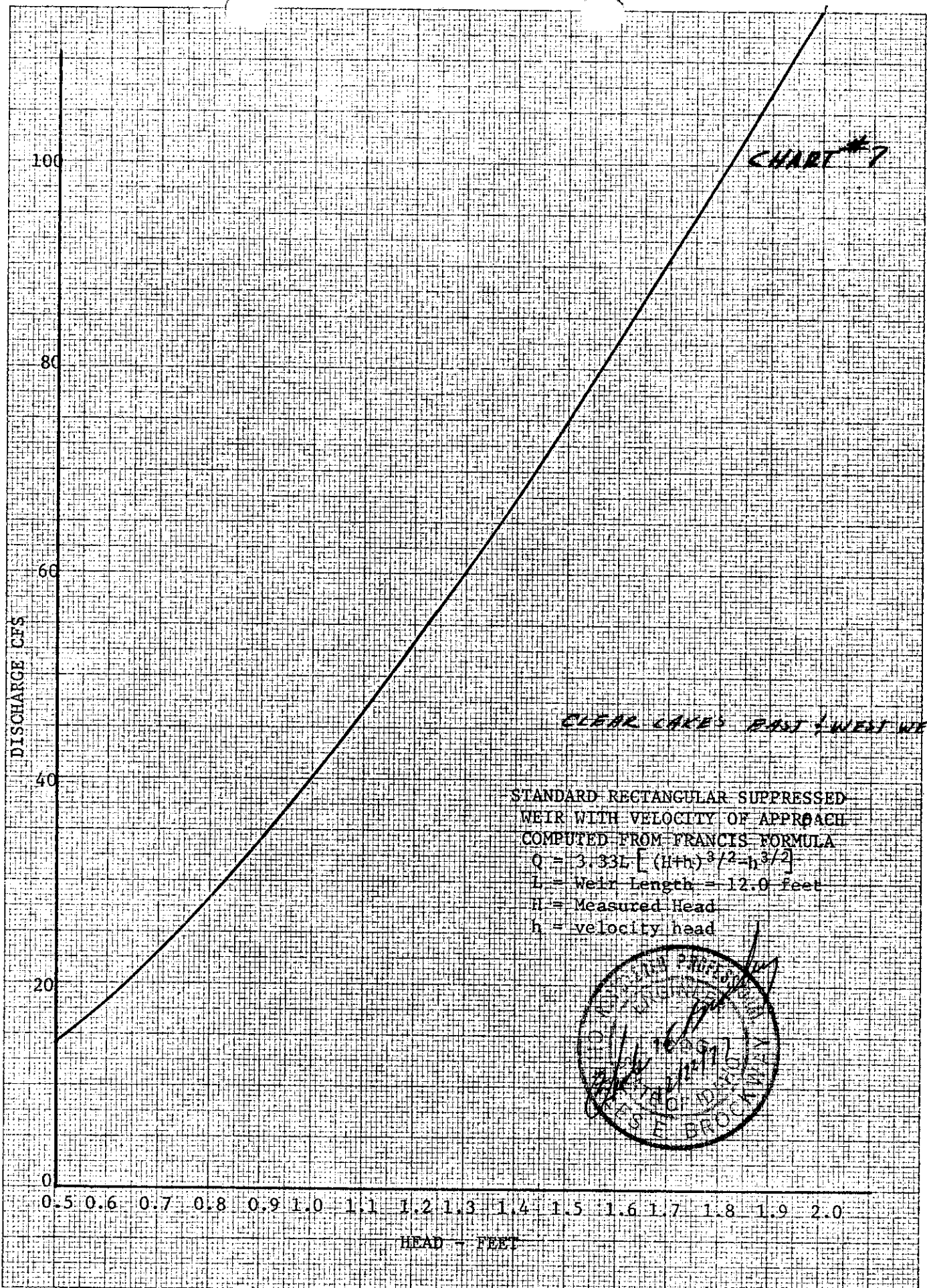
CEB:ld

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

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



MICROFILMED



RECEIVED

RECEIVED

MAR 31 1977

Department of Water Resources
Southern District Office

CLEAR LAKES TRIBUT

DISCHARGE CFS

80

60

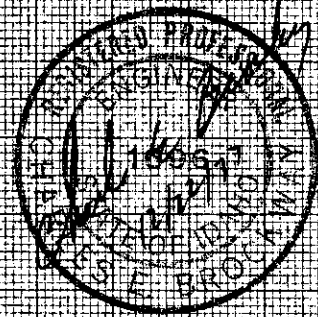
40

20

0.5 0.6 0.7 0.8 0.9 1.0 1.1 1.2 1.3 1.4 1.5 1.6 1.7 1.8 1.9 2.0

HEAD - FEET

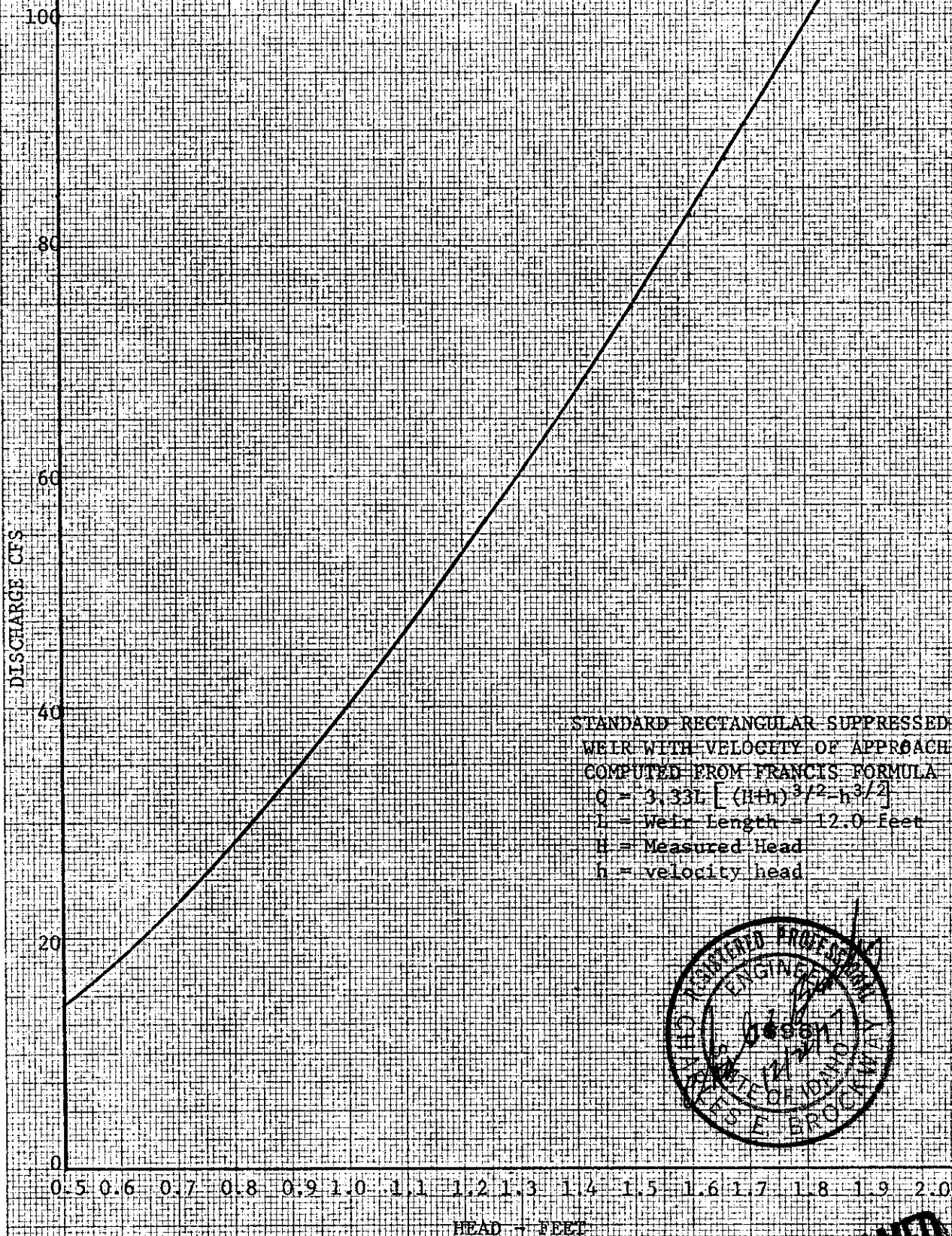
STANDARD RECTANGULAR SUPPRESSED
WEIR WITH VELOCITY OF APPROACH
COMPUTED FROM FRANCIS FORMULA
 $Q = 3.33L [(H+h)^{3/2} - h^{3/2}]$
L = Weir Length = 12.0 feet
H = Measured Head
h = velocity head



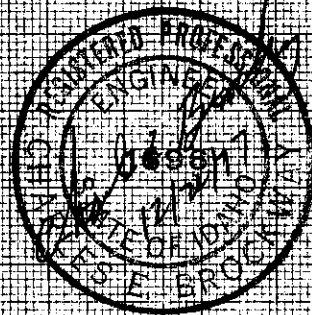
MICROFILMED

10 X 10 TO THE CENTIMETER 46 1510
10 X 25 CM.
K. E. ROUFFEL & ESSER CO.

CLEAR LAKE'S TROUT



STANDARD RECTANGULAR SUPPRESSED
WEIR WITH VELOCITY OF APPROACH
COMPUTED FROM FRANCIS FORMULA
 $Q = 3.33L [(H+h)^{3/2} - h^{3/2}]$
L = Weir Length = 12.0 feet
H = Measured Head
h = velocity head



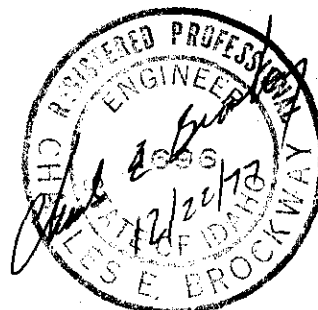
MICROFILMED

RATING TABLE

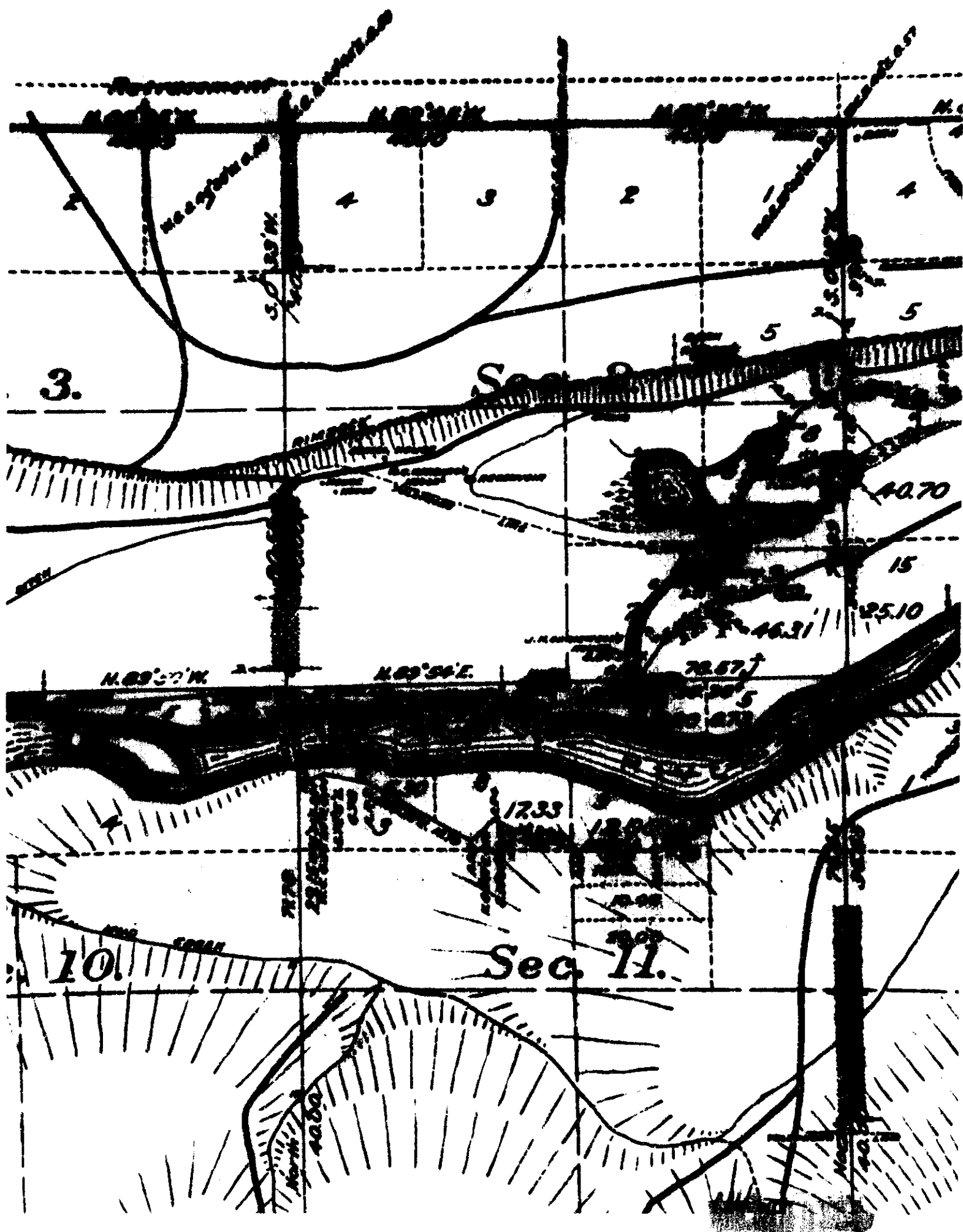
TWELVE (12.0) FOOT STANDARD RECTANGULAR SUPPRESSED WEIR
 WEIR CREST 4.0 FEET ABOVE CHANNEL FLOOR
 DISCHARGE CORRECTED FOR VELOCITY OF APPROACH

STAFF
 GAGE

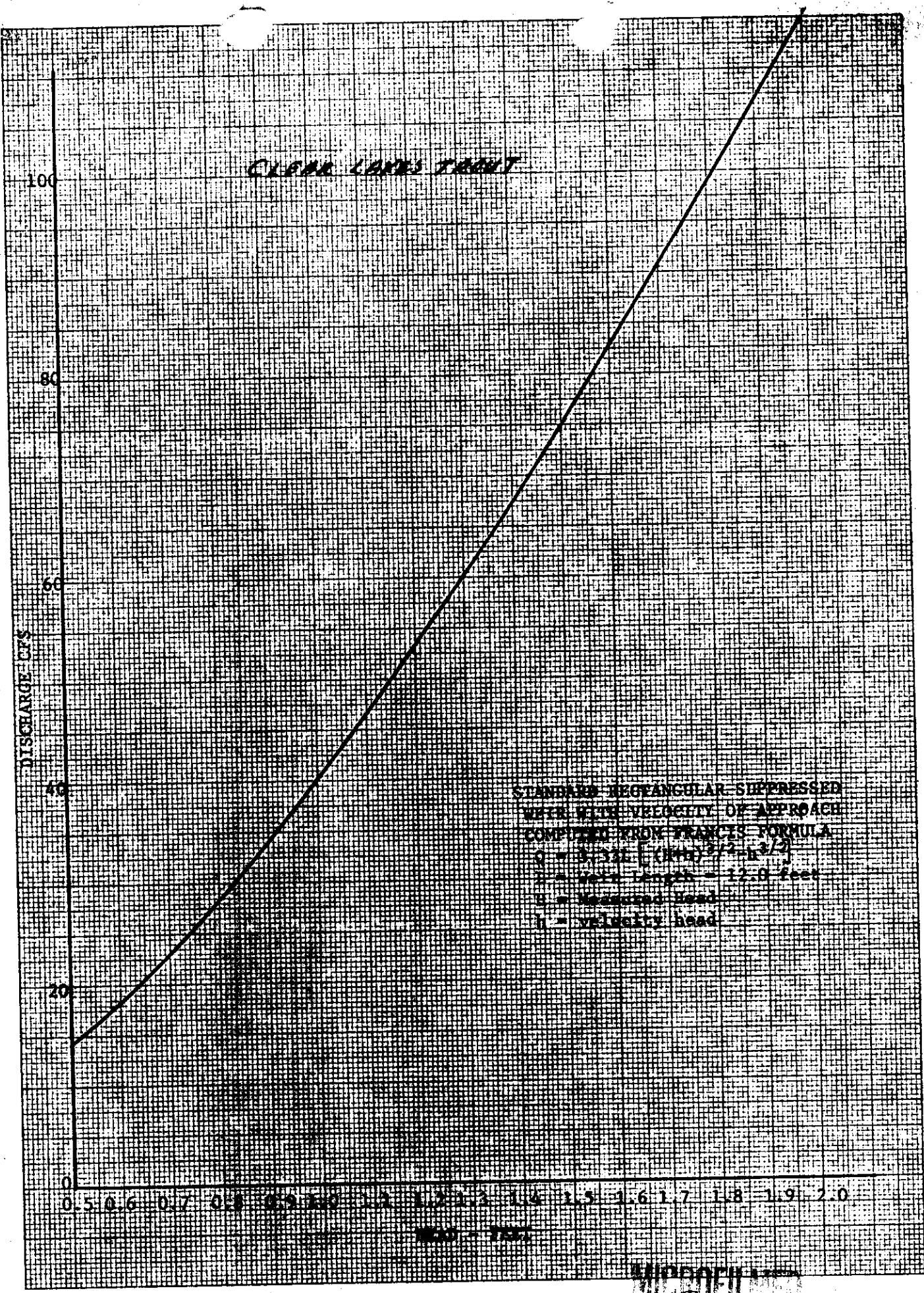
	0.00	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.5	14.2	14.6	15.0	15.5	15.9	16.4	16.8	17.3	17.7	18.2
0.6	18.7	19.1	19.6	20.1	20.6	21.0	21.5	22.0	22.5	23.0
0.7	23.5	24.0	24.6	25.1	25.6	26.1	26.6	27.2	27.7	28.2
0.8	28.8	29.3	29.9	30.4	31.0	31.6	32.1	32.7	33.3	33.8
0.9	34.4	35.0	35.6	36.2	36.7	37.3	37.9	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



MICROFILMED



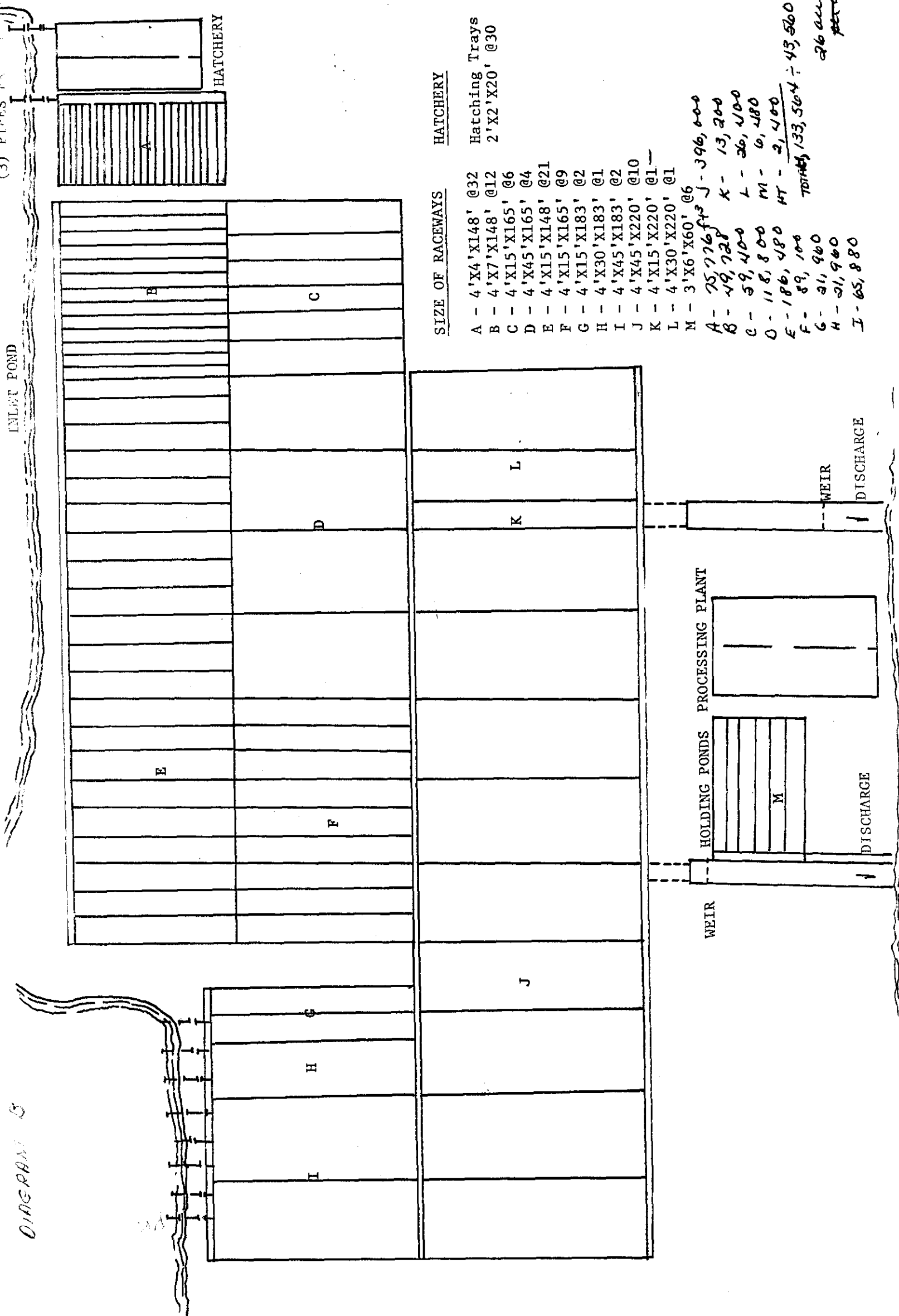
K&E 10 X 10 TO THE CENTIMETER 46 1510
MADE IN U.S.A.
KUFFEL & ESSER CO.



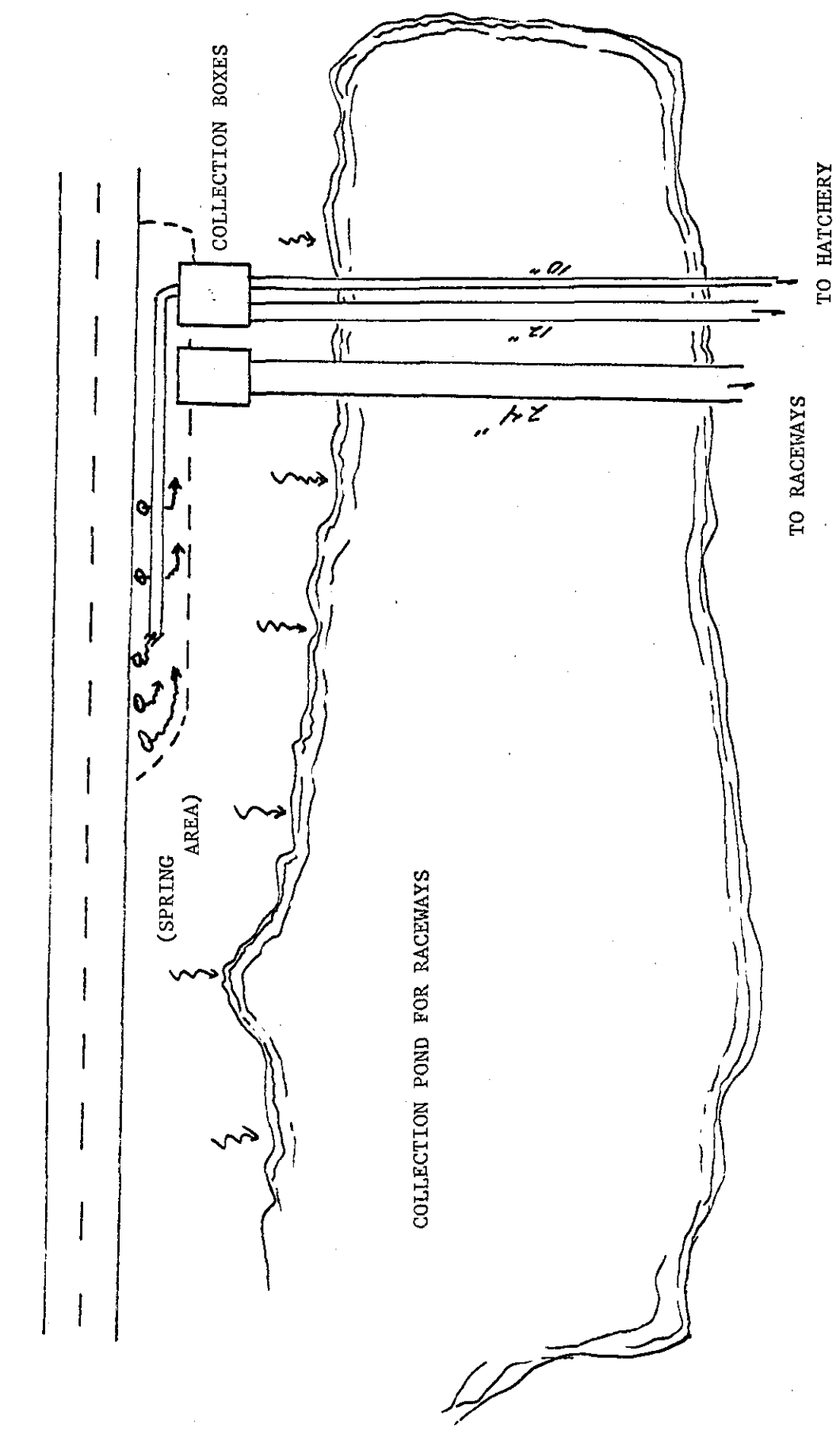
36-2659

ENLIGHT POND

DINEPANI B



MICROFILMED



September 28, 1977

Re: Permit No. 36-2659

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
Water Rights Bureau

/jr

MICROFILMED

✓

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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 36-2659

3. Date of Priority that you are prepared to establish June 23, 1966

4. a) Source from which water was appropriated Clear Lakes Springs

b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2

Township 9 S, Range 14 E Boise Meridian, Other points of diversion: _____

NE 1/4 SE 1/4 and 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 100 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 100 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 Juker, 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: _____

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

MICROFILMED

Exam _____

9/27/77

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Boise, Idaho 83720

REGISTERED MAIL

138656

NOT DELIVERABLE
AS ADDRESSED.
UNABLE TO FORWARD

Clear Lakes Trout Co., Inc.
1220 Vista Ave.
Boise, ID 83705



1301 710 to Ave.
Boise 83705

MICROFILMED

June 30, 1977

CERTIFIED MAIL 138 656

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

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

UNRECORDED



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

September 2, 1971

Re: Permit Nos. 36-2607 - Richard Kaster
36-2603 - Ira B. Perrine Jr. & Emerald Perrine (Partial)
36-2603-A - City of Twin Falls (Partial)
36-7040 - Hagerman Valley Trout Co., Inc.
36-2659 - Clear Lakes Trout Co.

Lloyd Walker
Box 23
Twin Falls, Idaho 83301

Dear Mr. Walker:

Please find enclosed copies of the above referenced permits as requested. The fee for these copies is \$8.00. Your prompt remittance would be appreciated.

If we can be of further assistance, please contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CR

Enc: copies

36 2659

August 17, 1971

Re: Permit No. 33176/36-2659

Clear Lakes Trout Company
% Earl M. Hardy
1220 Vista Ave.
Boise, Idaho 83705

Gentlemen:

Enclosed please find a copy of the APPROVED application for amendment in connection with the above referenced permit. Also enclosed is departmental receipt No. 6719 in the amount of \$20.00.

Very truly yours,

Dorian Clay
Appropriation Examiner

DG:DR
Enclosures (2)

36 2659

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred E. Hagen, 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 22 day

of July, 1971, and the date of the last publication was on the 29 day of July, 1971.

Alfred E. Hagen
Subscribed and sworn to before me this 29

day of July, 1971.
(SEAL) Andrew C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

_____ Lines at 14¢

_____ Lines at 10¢

TOTAL COST.....

No. of Amendment
Title of Notice
Permit

Chas. H. Hagen
Co

331

St

2

7

PUBLICATION RATES:	
(Idaho Code, (Rev. Statutes) 1956	
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 insertions	10c

No 1217

36 2659

July 14, 1971

Re: Permit No. 33176/36-2659 - Clear Lakes Trout Co., Inc.

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Bill submitted 8-25-71 By ds

36 2659

DWM:DR
Enc: Legal notice

Need Galley Proof
**NOTICE OF AMENDMENT
TO WATER PERMIT**

Notice is hereby given that Permit No. 33176/36-2659 in the name of Clear Lakes Trout Co., Inc., was issued for the diversion of 100 cubic feet per second of water from a spring, tributary to the Snake River, with point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, T. 9S, R. 14E, B.M., Gooding County, to be used for fish propagation purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M.

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

R. Keith Higginson
Director

7-22-2tc

NOTICE OF AMENDMENT TO WATER PERMIT

Notice is hereby given that Permit No. 33176/36-2659 in the name of Clear Lakes Trout Co., Inc., was issued for the diversion of 100 cubic feet per second of water from a spring, tributary to the Snake River, with point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, T. 9S, R. 14E, B.M., Gooding County, to be used for fish propagation purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M.

The permit holder now proposes to amend the above ~~numbered~~ numbered permit, requesting points of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 9S, R. 14E, B.M.

Any protest to the proposed amending of this permit may be filed with the Idaho Dept. of Water ~~Administration~~ 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, Gooding, Idaho, on July 22 and July 29, 1971.

36-2659

February 9, 1970

Re: Permit No. 36-2659

Mr. Clarence T. Brasher, Attorney-in-Fact
Fidelity and Deposit Company of Maryland
1305 Continental Bank Building
Salt Lake City, Utah 84101

Dear Mr. Brasher:

We are in receipt of your notice of cancellation of bond No. 8006191 for Richard Kaster, Buhl, Idaho. Please be advised that the bond requirement was relieved under this permit and that the notice of cancellation has been posted in the water permit file.

If we can be of further assistance, please contact us.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

cc. Richard Kaster
Buhl, Idaho 83316

Robertson-Obenchain Insurance
332 3rd St. East
Twin Falls, Idaho 83301

36-2659
33176

36-2659

Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

1305 Continental Bank Building
Salt Lake City, Utah 84101

CERTIFIED MAIL-623833

January 28, 1970

19.....

State of Idaho

State Reclamation Engineer

State Capitol Building

Boise, Idaho 83704

The undersigned ~~Underwriter~~ upon a certain Water Permit
Surety

Bond in your favor as follows:

	NUMBER	EFFECTIVE DATE
Richard Kaster Buhl, Idaho	#80 06 191	1-13-67

hereby notifies you that it desires to cancel and does hereby cancel said bond as (1) An Entirety

such cancellation to become effective (2) Thirty (30) days after receipt of this notice

PLEASE ACKNOWLEDGE RECEIPT

This notice is given to you in accordance with the cancellation provision contained in said bond.

CANCELLED-AT AGENT'S REQUEST

cc: Richard Kaster
(certified #623834)

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

cc: Robertson-Obenchain Ins.

Clarence T. Brasher
Clarence T. Brasher Attorney-in-Fact

36-2659
33176



SALT LAKE CITY BRANCH

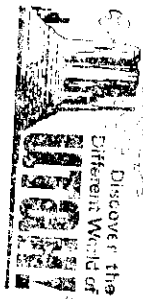
FIDELITY AND DEPOSIT COMPANY
OF MARYLAND

1305 CONTINENTAL BANK BUILDING
SALT LAKE CITY, UTAH 84101

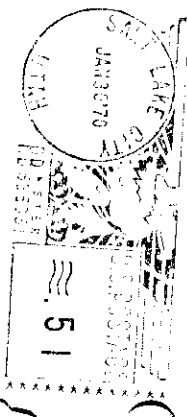
CERTIFIED

No 623833

MAIL



State of Idaho
State Reclamation Engineer
State Capitol Building
Boise, Idaho 83704





IDAHO TROUT PROCESSORS COMPANY

1220

~~1224~~ Vista Avenue, Boise, Idaho 83705 • Telephone 208 - 342-0090

November 6, 1969

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Attention Mr. Donald W. McElDowney

Gentlemen:

Please change your records to show the mailing address
of Clear Lakes Trout Company under permit No. 33176/
36-2659 from Route 4, Buhl, Idaho to:

Clear Lakes Trout Company
c/o Earl M. Hardy
1220 Vista Avenue
Boise, Idaho 83705

Permit No. 36-7004, also in the name of Clear Lakes
Trout Company, should also show this mailing address.

Sincerely yours,

Earl M. Hardy
Earl M. Hardy

EMH/skh



33176
36-2659

November 4, 1969

Re: Permit No. 36-2659 - Clear Lakes Trout Co., Inc.

Mr. Earl Hardy
1220 Vista
Boise, Idaho

Dear Mr. Hardy:

Enclosed please find a copy of the modification order for the above referenced permit.

The original order was sent to Clear Lakes Trout Co, Inc., Route 4, Buhl, Idaho.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of mod. order

33176
36-2659

October 29, 1969

Re: Permit No. 33176 (New No. 36-2659)

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

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Order
[REDACTED]

33176
36-2659

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33176/36-2659)
)
in the name of the CLEAR LAKES TROUT CO.,)
)
INC., Route 4, Buhl, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33176/36-2659 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. The permittee is hereby released from any bond requirement placed upon his permit under Section 42-204 at the time the permit was issued.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before September 16, 1977. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 29TH day of OCTOBER, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

33176
36-2659

August 22, 1967

RE: Permit 33176

Clear Lakes Trout Company
Route #4
Buhl, Idaho 83316

Gentlemen:

Enclosed herewith is a copy of the assignment
you forwarded to our Department. This assignment
has been recorded in this office under the above
referenced permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Assignment copy

33176

February 17, 1967

RE: Permit 33176
Richard Kaster

Harry Povey
Attorney at Law
P.O. Box 344
Twin Falls, Idaho

Dear Mr. Povey:

Enclosed is departmental receipt No. 33651 in the amount of \$2.50. This amount covers the fee for copies mailed to you February 14, 1967 on the above numbered permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt

33176

February 14, 1967

RE: Permit 33176
Richard Kaster

Harry Povey
Attorney at Law
P.O. Box 344
Twin Falls, Idaho

Dear Mr. Povey:

As requested in our telephone conversation of the 13th we are enclosing two copies of the above numbered permit.

The fee for these copies will be \$2.50 which you may remit to this department at your earliest convenience.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:jew

Enclosures

33176

February 1, 1967

RE: Permit 33176

Richard Kaster
Route #4
Buhl, Idaho

Dear Mr. Kaster:

We would like to thank you for your prompt attention
to the limitations of your permit and the \$1,000.00 bond.

We hope your project will be a success.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

33176

Bond.

RECEIVED
FEB 1 1967

Department : Reclamation

KNOW ALL MEN BY THESE PRESENTS, That Richard Kaster
of Buhl, Idaho, as principal, and Fidelity & Deposit Company of
Maryland

as surety, are held and firmly bound unto the State of Idaho in the full
and just sum of one thousand (\$1,000.00) Dollars,
lawful money of the United States, to the payment of which sum, well and truly to be made, said
principal and surety bind themselves, their heirs, administrators, executors and assigns, jointly and
severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the
24th day of June, 19 66, filed in the office of the State Reclamation En-
gineer ~~XXXXXX~~ in Boise, Idaho, a certain application for permit to appropriate the public waters of the State
of Idaho, the said application being thereupon numbered No. 41137, in accordance with which said
application the State Reclamation Engineer ~~Commissioner of Reclamation~~ granted and issued to the said principal herein a cer-
tain permit numbered No. 33176, a full, true and complete copy of which application No. 41137
and permit No. 33176 is of record in the office of the State Reclamation Engineer ~~Commissioner of Reclamation~~ in Book
116 of Permits, at Page 33176.

Now, if the above bounden principal shall faithfully carry to completion the said works of diver-
sion as specified in said application No. 41137 and permit No. 33176, in the manner and form
prescribed therein and within the time therein allowed, then the above obligation to be void, otherwise
to remain in full force and effect.

IN WITNESS WHEREOF, The said principal and surety have hereunto set their hands and seals,
this 13th day of January, 19 67.

WITNESSES:

Countersigned by
Robertson-Obenchain Insurance

John B. Robertson
Boise, Idaho
STATE OF IDAHO,

Richard Kaster (SEAL)
Richard Kaster -
Fidelity & Deposit Company of (SEAL)
Maryland
John B. Robertson (SEAL)
By John B. Robertson, Attorney in
fact

County of _____ } ss:

_____ of _____ and
_____ whose names
are subscribed to the within and foregoing obligation as sureties thereto, each being duly sworn,
upon oath for himself deposes and says:

That he is a resident and freeholder of the State of Idaho, and that he is worth the sum named
in said obligation, to wit, \$_____, over and above all his debts and liabilities, exclusive of prop-
erty exempt from execution.

Subscribed and sworn to before me this _____ day of _____, 19____

33170

October 10, 1966

RE: Permit 33176

Richard Kaster
Route #4
Buhl, Idaho

Dear Mr. Kaster:

Enclosed is amendment to land list which has been recorded in this office under the above referenced permit.

Departmental receipt No. 33448 in the amount of \$1.00 was given to you at the time you were in our office. This amount covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc: Amendment

33176

September 26, 1966

RE: Permit 33176

Richard Kaster
Route #4
Buhl, Idaho

Dear Mr. Kaster:

Enclosed is your permit. Departmental receipt No. 33271 in the amount of \$29.75 was given to you at the time you were in our office. This amount covers the filing fee.

According to the Idaho Statutes (Section 42-204), a performance bond in the amount of \$1,000.00 must be furnished prior to November 16, 1966.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Permit

33176

July 29, 1966

33176

RE: Application No. 41137

Richard Kaster
Route 4
Buhl, Idaho

Dear Mr. Kaster:

The information has been supplied this department that the NW~~1~~SE~~1~~, Sec. 2, T. 9 S., R. 14 E., B.M. is privately owned land. It would seem that an error was made in filling out your application.

It will be necessary to correct the location and readvertise the application. We suggest you consult a good map to obtain the exact location of the point of diversion and place of use and send the information to us so that we may prepare a new legal notice.

Very truly yours,

R. KEITH HIGGINSON
Deputy State Reclamation Engineer

RKH:mr

33176

Jul. 7, 1966

33176

RECEIVED
JUL 9 1966

Department of Reclamation

Dear Mr. Higginson:

In checking a map of the Clear Lake area I found that the water I filed on was in Section 2 and not in section 12. The point of diversion, place of use, and point of return are all three in section 2 according to my map. This is why we wanted it changed in the legal notice. Would you please check and see if this is correct?

Thank you very much

Richard Kaster

33170

33176

July 5, 1966

Richard Kaster
Rt 4
Buhl, Idaho

Dear Mr. Kaster:

We have been informed by the Wendell Irrigationist that you requested that the legal notice of your Application No. 41137 be changed in so far as the location of the diversion works is concerned.

It will be necessary that you write this office requesting that your application be changed to read Section 2 in all instances, rather than Section 12. If this is not done before the application is approved it will then be necessary to amend the point of diversion and the place of use so that they will be correct on your permit.

Will you please take care of this matter promptly?

Very truly yours,

R. KEITH HIGGINSON
Deputy State Reclamation Engineer

RKH:mr

33176

First published in the Irrigationist, Wendell, Idaho, Thursday, June 30, 1966, for three consecutive issues ending on Thursday, July 14, 1966.

**NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 42-203
IDAHO CODE**

NOTICE IS HEREBY GIVEN, That Richard Kaster, of Route 4, Buhl, County of Gooding, and State of Idaho, has made application No. 41137 on the 24th day of June, 1966, to appropriate 100 c.f.s. of water from a spring, tributary of Snake River, for fish hatchery purposes.

That the point of diversion is in the NW 1/4 SE 1/4, Sec. 2, T. 9 S., R. 14 E., B.M., Gooding County.

The place of use of said water is in the NW 1/4 SE 1/4, Sec. 2, T. 9 S., R. 14 E., B.M., and that the water is to be returned to Clear Lake at a point in the NW 1/4 SE 1/4, Sec. 2, T. 9 S., R. 14 E., B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 24th day of June, 1966

R. KEITH HIGGINSON
Deputy State
Reclamation Engineer

Try a Classified.

RECEIVED
JUN 28 1966

Department of Reclamation

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-203, IDAHO CODE

NOTICE IS HEREBY GIVEN, That Richard Kaster, of Route 4, Buhl, County of Gooding, and state of Idaho, has made application No. 41137 on the 24th day of June, 1966, to appropriate 100 c.f.s. of water from a spring, tributary of Snake River, for fish hatchery purposes.

That the point of diversion is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 9 S., R. 14 E., B.M., Gooding County.

The place of use of said water is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 9 S., R. 14 E., B.M., and that the water is to be returned to Clear Lake at a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 9 S., R. 14 E., B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 24th day of June, 1966

33176

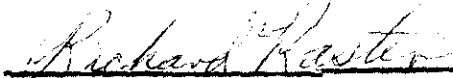

E. KEITH HIGGINSON
Deputy State Reclamation Engineer

Date of First Publication June 30, 1966

Date of Last Publication July 14, 1966

Last Date for Protest August 4, 1966

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this 27th day of June, 1966.


Applicant

By _____

33170

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-203, IDAHO CODE

NOTICE IS HEREBY GIVEN, That Richard Kaster, of Route 4, Buhl,
County of Gooding, and State of Idaho, has made application No.
41137 on the 24th day of June, 1966, to appropriate 100 c.f.s. of
water from a spring, tributary of Snake River, for fish hatchery
purposes.

That the point of diversion is in the NW¼Sec. 12, T.
9 S., R. 14 E., B.M., Gooding County.

The place of use of said water is in the NW¼Sec. 12,
T. 9 S., R. 14 E., B.M., and that the water is to be returned to
Clear Lake at a point in the NW¼Sec. 12, T. 9 S., R. 14 E., B.M.

That any protests against the approval of this application
must be filed in the Department of Reclamation, at Boise, Idaho,
within forty (40) days from the date of this notice, and such
protest shall state the name and address of the protestant, and
shall clearly set forth his objection to the approval of said
application.

Dated this 24th day of June, 1966


R. KEITH HIGGINSON
Deputy State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last Date for Protest August 4, 1966 _____

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this
_____ day of _____, 1966.

Applicant _____

By _____

33176

33176

June 24, 1966

RE: Application No. 41137

Richard Kaster
Route 4
Buhl, Idaho

Dear Mr. Kaster:

Enclosed are three copies of a legal notice in regard to the above noted permit application. Kindly check to be sure there are no errors.

Complete the blank spaces at the bottom of each notice. Give the original to a paper printed in Gooding County for publication in three (3) successive weekly issues, first publication within ten (10) days of your receipt of this notice. Return one copy to this office and keep one copy for your file.

Remit the affidavit of publication promptly after the last publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. legal notice 3

33176