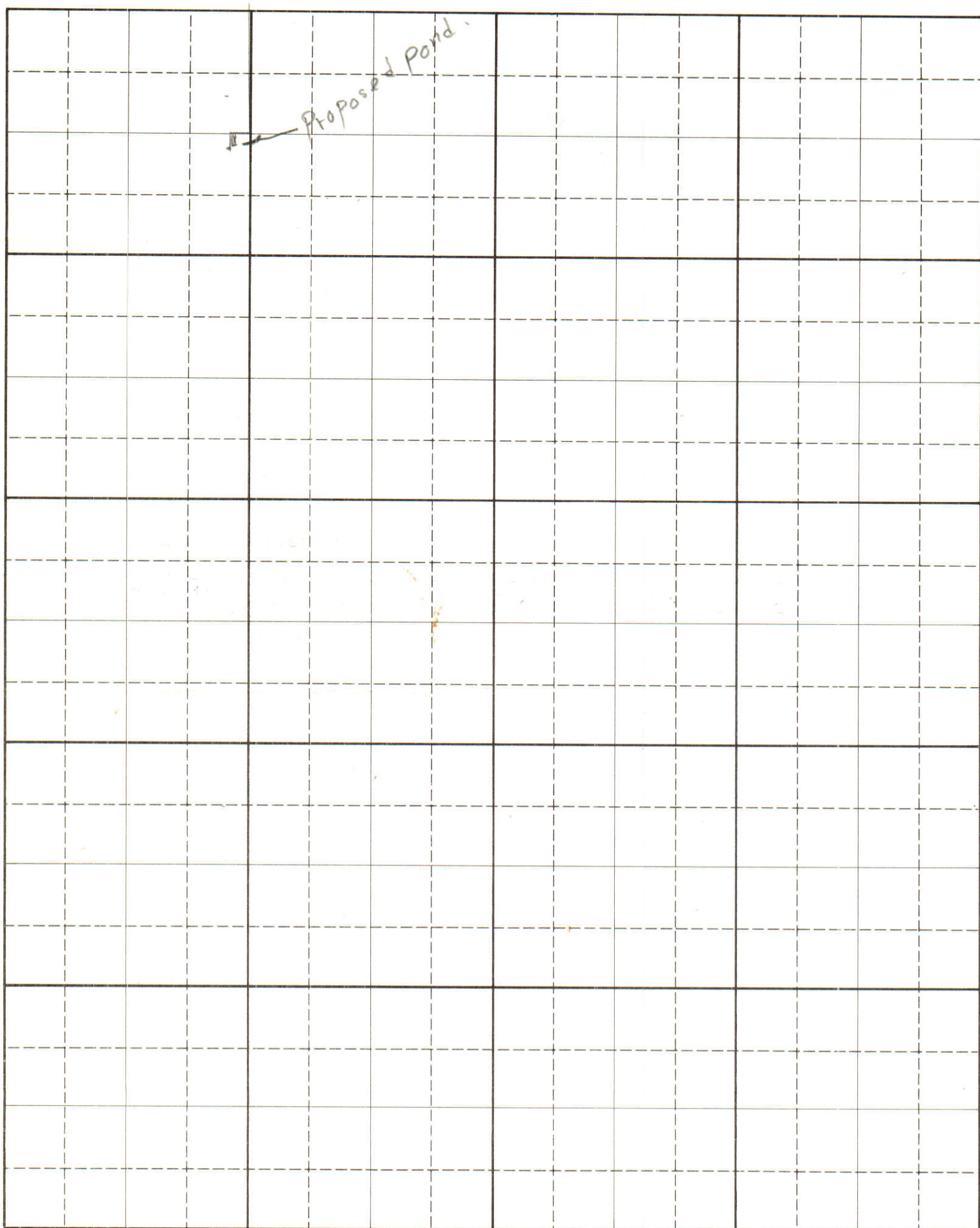


11. Map of proposed project:

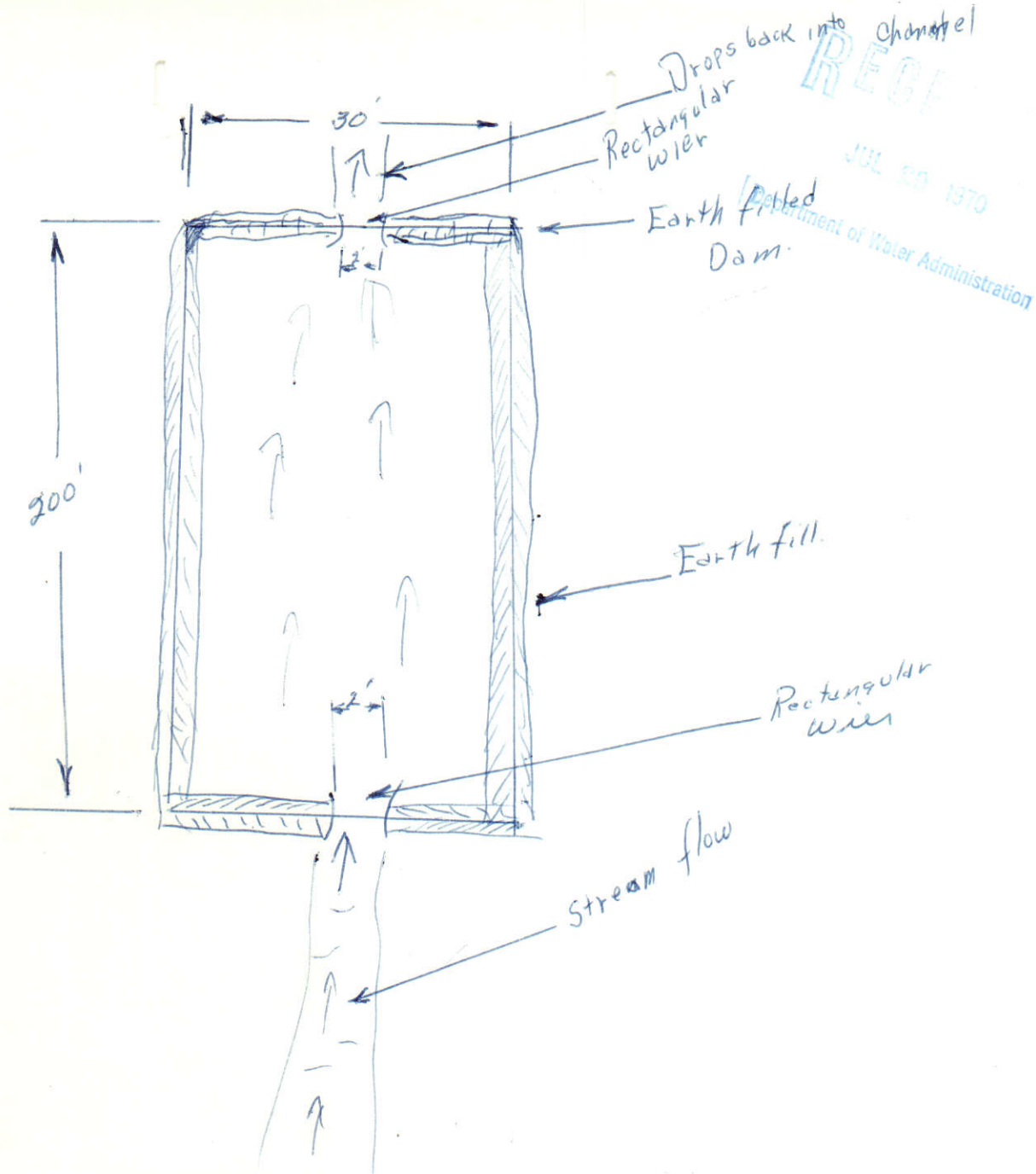


Scale: 2 inches equal 1 mile

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

Ronald H. Porter
(Applicant)

47-7094



PRELIMINARY DESIGN for PERMIT NO. 47-7094

This is to be a pond for raising fish from fingerling size to marketable weight. I estimate that in the course of a year I will raise about 8000 pounds of fish.

Construction will begin on approximately the 15th of November, and will be completed by November 25, 1970.

Full production will be achieved about June of 1971.

Ronald L. Porter

RT#3

Buhl, Idaho. 83316

47-7094

RECEIVED

JUL 22 1970

AFFIDAVIT of PUBLICATION

Department of Water Administration

STATE OF IDAHO }
County of Twin Falls } ss.

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

Notice is hereby given that Donald H. Porter, Route 3, Buhl, Idaho, has on July 29, 1970, submitted Application No. 47-7094 to appropriate the public waters of a drainage tunnel.

The application proposes a maximum diversion and appropriation of 3.0 cubic feet per second of water to be diverted by pond within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 10S, R. 14E, B.M., Twin Falls County, and is to be used within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 10S, R. 14E, B.M. for fish propagation purposes from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before September 7, 1970.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald,
Buhl, Idaho, on August 20 and
August 27, 1970.
(32t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 20th day of August, 1970, and the last publication having been made on the 27th day of August, 1970; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey
Subscribed and sworn to before me this 28th day of August, 1970

Loislyn S. Matthews
Notary Public.

Buhl, Idaho
Residing at

January 1, 1973
My Commission Expires

47-7094

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 47-7094 Priority June 17, 1970 Amount 1.28 cfs

THIS IS TO CERTIFY, that DONALD H. PORTER
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 47-7094 issued pursuant to Application for Permit dated April 17, 1970,
and has submitted proof to the Department of Water Administration on December 1, 1972,
(late proof)
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 1.28 cfs of water from a drainage tunnel,
tributary to Twin Falls Canal Co. ditch, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Fish</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>1.28</u> cfs and <u>n/a</u>			
<u>Propagation</u> from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 1.28 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
n/a acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 3,
Twp. 10 S, Rge. 14 E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 S	14 E	3													X				

Total number of acres irrigated _____

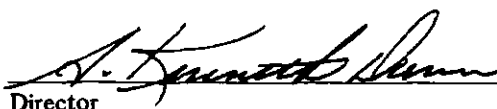
Measuring devices of a type approved by this Department shall be permanently
maintained at both the point of diversion and the point of effluent discharge.

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 17th day of
December, 19 73.

Deputy Director



47 7094

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-7094)
in the name of DONALD H. PORTER)
_____)

ORDER OF REINSTATEMENT

WHEREAS, on April 17, 1970, Donald H. Porter filed with the Department of Water Administration (formerly the Department of Reclamation) an application for permit to appropriate 3.0 cfs of water from a drainage tunnel within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 10 S, Rge. 14 E, B.M., Twin Falls County, to be used for fish propagation purposes; and,

WHEREAS, on September 15, 1970, the Department approved said application and issued Permit No. 47-7094 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 1, 1972; and,

WHEREAS, on August 1, 1972, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on October 5, 1972, the Department notified the permit holder that Permit No. 47-7094 had lapsed for failure to submit proof of beneficial use; and,

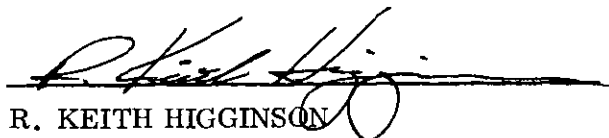
WHEREAS, on December 1, 1972, the Department received the required proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 47-7094 be REINSTATED and the priority advanced to June 17, 1970.

Dated this 12 day of January, 1973.


R. KEITH HIGGINSON
Director

47 7094

Identification No.

Application No.

47-7094

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPROVED

1. Name of applicant Donald H. Porter
post office address Rt. #3 Buhl, Idaho
2. Source of water supply Drainage tunnel which is a tributary of Twin Falls Canal Co.
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 10 S
Range 14 E B.M. East, Twin Falls County; additional points of diversion if any: none
- b. If water is not consumed, it will be discharged into Drain ditch TFC CO. at a point in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 10 Range 14 E B.M.
4. Quantity to be appropriated:
 - a. Three (3) cubic feet per second and/or
 - b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
 - Propagation of fish purpose from Jan. 1 to Dec. 31, yrly (both dates inclusive)
 - _____ purpose from _____ to _____ (both dates inclusive)
 - _____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. It will be diverted into a pond, and returned to the drainage ditch it was taken out of. The pond will be approximately 200' x 50'. Concrete structures will be used to controll the water.
 - b. Height of storage dam three feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: earth, with a concrete spillway
 - c. Proposed well diameter is - inches; proposed depth of well is - feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use (allow 2 years)
is five years.
 - b. Estimated construction cost is \$ 500
8. Description of proposed uses:
 - a. If water is not for irrigation:
 - (1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 10
Range 14 E B.M.
 - (2) Amount of power to be generated: - hp under - feet of head.
 - (3) List number of each kind of livestock to be watered _____
 - (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
 - (5) If water is to be used for other purposes describe: Growing fish to marketable size.

47-7094

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

[illegible]

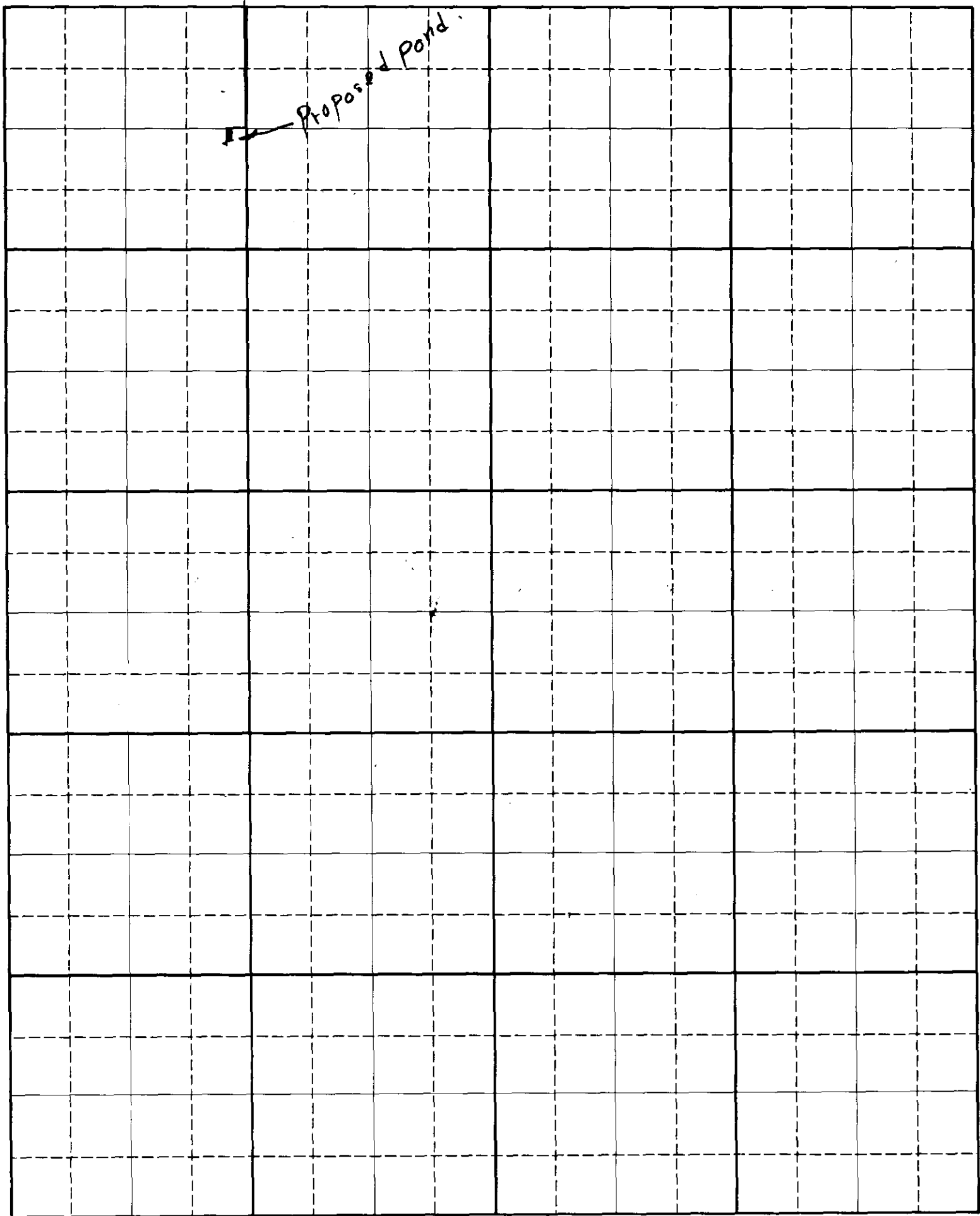
Total number of acres to be irrigated_____

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

9. a. Who owns the property at the point of diversion Donald H. & Marjorie J. Porter
b. Who owns the land to be irrigated or place of use Donald H. & Marjorie J. Porter
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Ronald H. Porter
(Applicant)

APPROVED


Deputy State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No.	<u>47-7094</u>	Name	<u>Donald H. Porter</u>
Source	<u>drainage tunnel</u>		
Point of Diversion	<u>NE1/4 Sec. 3, T. 10S, R. 14E, B.M., Twin Falls County</u>		
Quantity	<u>3cfs</u>	Use	<u>fish propagation</u> Period <u>January 1 to December 31</u>
Quantity		Use	Period
Quantity		Use	Period
Well Size		Diameter	Proposed Depth Feet
Use			
Date Forwarded	<u>8-12-70</u>	Date Returned	<u>8-14-70</u> Received by <u>Lib</u>

COMMENTS:

RECOMMENDED:

Applied: Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Maximum: Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF
Qty.	Use	Period	AF/A	AF

ACTION:

Approved ☒Denied ☐

Conditions of approval or reason for denial: Subject to cancellation after one year if work is not progressing satisfactorily or delay is due to circumstances beyond applicant's control as determined by Dir., Dept of Water Admin.

Engineering

By

A. K. Dunn

Title

Asst Dir.

Date

8/14/70

47-7094

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No.	47-7094	Name	Donald H. Porter
Source	drainage tunnel		
Point of Diversion	NE 1/4 Sec. 3, T. 10S, R. 14E, B.M., Twin Falls County		
Quantity	3 cfs	Use	fish propagation
		Period	January 1 to December 31
Quantity		Use	
		Period	
Quantity		Use	
		Period	
Well Size		Diameter	
		Proposed Depth	
Use			
Date Forwarded	8-12-70	Date Returned	8-18-70
		Received by	DH

COMMENTS: DRAINAGE TUNNEL COMMONLY CALLED THE "LOVE" TUNNEL. Measurements by the AES @ Kimberly from June 1968 to October 1969 indicate a minimum flow of 0.5 cfs and a maximum of 2 cfs from this tunnel. Typically the flow is from 1 to 1.5 cfs. WATER is included in T.F. canal Co. delivers downstream.

RECOMMENDED:

Applied: Qty.	3.0 cfs	Use	fish prop	Period	1-1 to 12-31	AF/A		AF	2175
Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	
Maximum: Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	

ACTION: Approved _____ Denied _____

Conditions of approval or reason for denial: Subject to prior RIGHTS. Permit does not constitute a RIGHT-OF-WAY. Measuring devices.

Investigation	By	Norman C. Young	Title	WRI II
			Date	August 17, 1970

47-7094

NAME Dona Id H. Porter ADDRESS Rt. 3, Buhl, Idaho BUSINESS Farming

INDIVIDUAL OR PARTNERSHIP STATEMENT
TO THE FARMERS NATIONAL BANK OF BUHL, BUHL, IDAHO

FOR THE PURPOSE OF OBTAINING CREDIT WITH YOU FROM TIME TO TIME, I HEREWITH
SUBMIT THE FOLLOWING AS BEING A FAIR AND ACCURATE STATEMENT OF my FINANCIAL CONDITION
ON July 27 1970

ASSETS		LIABILITIES	
CASH ON HAND AND IN BANK	1500 00	NOTES PAYABLE, THIS BANK	
NOTES RECEIVABLE	2000 00	OTHER NOTES PAYABLE	
ACCOUNTS RECEIVABLE		CONTRACTS PAYABLE (SCH. B)	
CROPS OR MERCHANDISE	500 -	FEED AND SEED ACCOUNTS	
STOCKS & BONDS (SAVINGS)		DELINQUENT TAXES	
HORSES @		DELINQUENT R/E MORT. INT.	
LIVE CATTLE @		OTHER ACCOUNTS PAYABLE	
STOCK SHEEP @		(GAS, GROC., REPAIRS, DR., ETC.)	
9 HOGS @ 50 00	450 -		
INTEREST IN GROWING CROP ON			
	1200 -		
ESTIMATED VALUE \$			
TOTAL QUICK ASSETS	4650 -	TOTAL CURRENT DEBTS	
REAL ESTATE (SCHEDULE A)	36000 -	MORTGAGES, REAL ESTATE	26000
MACHINERY AND TOOLS (ACTUAL VALUE)	500 -	DUE	
OTHER ASSETS		OTHER INDEBTEDNESS (SEE OTHER SIDE)	
		TOTAL LIABILITIES	26000 -
		NET WORTH	15150 -
TOTAL	41150 -	TOTAL	41150 -

LIABILITY AS ENDORSER FOR OTHERS \$ — ASSETS PLEDGED TO SECURE INDEBTEDNESS? Real Estate
LIFE INSURANCE CARRIED \$ 10,000 PAYABLE TO Margaret J. Porter COMPANY? Western Mutual
FIRE INSURANCE ON PERSONAL PROPERTY \$ 2000, ON BUILDINGS \$ 10,000. DO YOU CARRY EMPLOYERS
LIABILITY INSURANCE? No ARE ANY SUITS OR LITIGATION PENDING EITHER FOR OR AGAINST FIRM? No

7/27/70
(OVER)

SIGNED Ronald H. Porter

47-7094

(CONTINUED)

STATEMENT OF

REAL ESTATE SCHEDULE A

LOCATION	IMPROVEMENTS	IN WHOSE NAME IS TITLE HELD	VALUE OF LAND AND IMPROVEMENTS	AMOUNT OF MORTGAGES OR LIENS	PAYABLE
Rt #3, Buhl, Idaho	House, Barn, + other	File B	\$ 36000	\$ 26000	Yrly 2400
			\$	\$	
			\$	\$	
			\$	\$	

DESCRIPTION OF STOCKS AND BONDS OWNED

DESCRIPTION OF OTHER INDEBTEDNESS

CONTRACTS PAYABLE (SCHEDULE B)

TO WHOM INDEBTED	ORIGINAL AMOUNT	MONTHLY PAYMENTS	SECURITY	PRESENT BALANCE

EMPLOYED BY _____ HOW LONG _____ INCOME \$ _____

OTHER INCOME \$ _____ SOURCE _____

NAMES AND ADDRESSES OF BANKS AND FIRMS WHICH HAVE EXTENDED YOU CREDIT

BANK _____ 3. _____

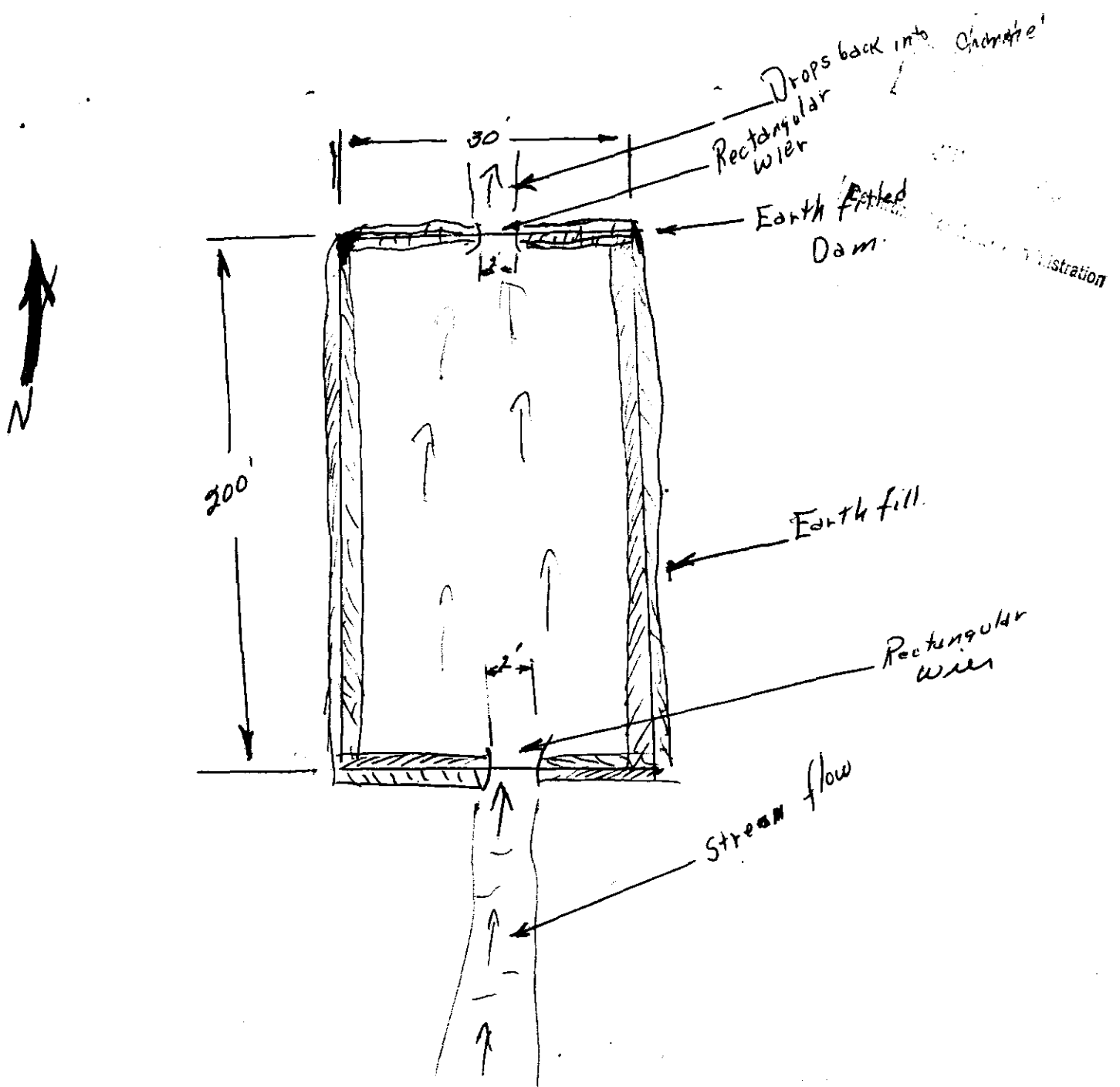
_____ 4. _____

NAME OF WIFE _____ NUMBER OF DEPENDENT CHILDREN _____

INFORMATION

THE FOREGOING STATEMENT IS A COPY OF THE ORIGINAL STATEMENT IN THE FILES OF THIS BANK.

47-7049



PRELIMINARY DESIGN for PERMIT NO. 47-7094

This is to be a pond for raising fish from fingerling size to marketable weight. I estimate that in the course of a year I will raise about 8000 pounds of fish.

Construction will begin on approximately the 15th of November, and will be completed by November 25, 1970.

Full production will be achieved about June of 1971.

Ronald H. Porter

RT#3

Buhl, Idaho. 83316

47-7094

127-2-2710

AFFIDAVIT of PUBLICATION

Department of Water Conservation

STATE OF IDAHO }
County of Twin Falls } ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 20th day of August, 1970, and the last publication having been made on the 27th day of August, 1970; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey
Subscribed and sworn to before me this 28th day of August, 1970.
Gorey D. Matthews
Notary Public.

Buhl, Idaho
Residing at
January 1, 1973
My Commission Expires

NOTICE OF APPLICATION FOR PERMITS TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Donald H. Bailey, of the County of Twin Falls, Idaho, has filed with the Department of Water Conservation, Boise, Idaho, an application for permits to appropriate the waters of a certain stream, to wit: the waters of the Snake River, for the purpose of irrigating the land situated in the NE 1/4 of Section 3, T. 10S, R. 14E, B. 1W, Twin Falls County, Idaho, for agricultural purposes.

This application was filed pursuant to the provisions of the Act to Regulate the Use of the Waters of the State, and the rights and interests of all parties in the water are hereby protected. Any protest or objection must be filed with the Department of Water Conservation on or before the 30th day of August, 1970.

Published in the Buhl Herald, Buhl, Idaho, on August 27, 1970. (3212)

47-7094

December 18, 1973

Re: Permit No. 47-7094

Donald H. Porter
Route 3
Buhl, Idaho 83316

Dear Mr. Porter;

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

47-7094

December 5, 1973

Re: Permit No. 47-7094

Donald H. Porter
Route 3
Buhl, Idaho 83316

Dear Mr. Porter:

A representative of this Department has made an examination of the works covered by your Permit No. 47-7094 and has found the following:

Quantity of water diverted: 1.28 cfs Source: a drainage tunnel

Amount of water that can be recognized as beneficially used under Idaho law: 1.28 cfs

The maximum quantity diverted shall not exceed n/a acre feet per year.

Beneficial use: for fish propagation in the NE $\frac{1}{4}$ Sec. 3, Twp. 10 S, Rge. 14 E

Point of diversion: NE $\frac{1}{4}$ Sec. 3, Twp. 10 S, Rge. 14 E, B.M.

Priority date established: June 17, 1970

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

47 7094

BOBBY D. FLEENOR
Assistant Director

jfr

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

Other Points of Diversions: _____

6. Lands to be irrigated or place of use.

TOTAL ACREAGE

R. 14 E

17 7094

T.
10
S

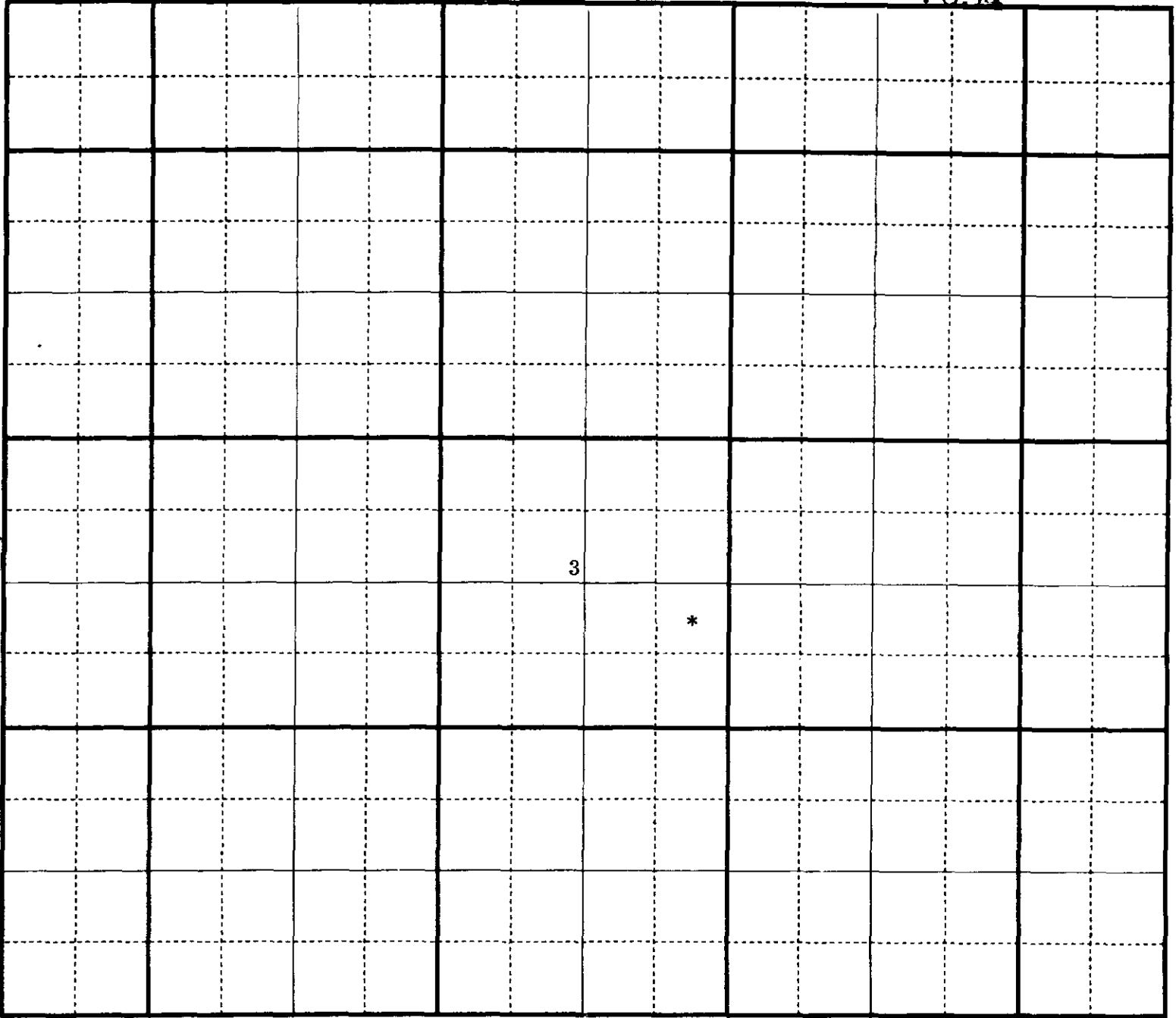


Diagram of System

DATE OF EXAM 10-26-73

ACREAGE

Found NA
Recommended NA

Irrigation Requirement NA Ac Ft/Ac

USE

Irrigation Q = NA c.f.s. V = ✓ AF/Ann. from ✓ to ✓
Domestic Q = NA c.f.s. V = ✓ AF/Ann. from ✓ to ✓
Livestock Q = NA c.f.s. V = ✓ AF/Ann. from ✓ to ✓
Fishpropagation Q = 1.28 c.f.s. V = 925.44 AF/ from Jan 1 to Dec 31

Is water co-mingled? yes no ✓

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

Exchange? yes no ✓

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

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 1.28 c.f.s. Method of measurement Trapezoid Flume
Free Flowing

Total Q recommended 1.28 c.f.s. Meter No. ✓ Type ✓ Condition ✓

Total V recommended 925.44 Ac Ft/ANN

Recommended Amendments:

P.D. ✓
Place of Use ✓
Other ✓
None ✓

MEASUREMENT CALCULATION:

Q = Reading on gage .86 Conversion from table for 1 Ft discharge
Free Flowing Trapezoid Flumes = 1.28 c.f.s.
V = (365 days)(1.98 Ac Ft) = (723 Ac Ft/day)(1.28 c.f.s.) = 925.44 Ac Ft/ANN.

SYSTEM DESCRIPTION:

Measuring device required on the Inlet of the System.
Concrete Flume.
Reading on gage .86
Water goes into ponds from ditches, the drains back
in to ditch It originated from.

REMARKS:

Examiner's Signature Larry Lundberg Date 11-5-73

Checked by Michael L. Stebb Date 11-30-73

Approved by _____ Date _____

January 15, 1973

Re: Permit No. 47-7094

Mr. Donald H. Porter
Route # 3
Buhl, Idaho 83316

Dear Mr. Porter:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced to June 17, 1970.

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

If you have any questions regarding the field exam, please contact our Southern District Office at 1041 Blue Lakes Blvd. North, Twin Falls, Idaho.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

bc: Southern District Office
Enc: Field exam report

47 7094

Identification No. _____

Permit No. 47-7094

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Extr.
Department of Water Reclamation

1. a) Name of Permit Holder Donald H. Porter
b) Post Office Address Rt. #3 Buhl, Idaho 83316
2. Permit Number 47-7094
3. Date of Priority that you are prepared to establish April 1970
4. a) Source from which water was appropriated From the Amos Drain of The Twin Falls Canal Co.
b) Location of the point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3
Township 10, Range 14 East Boise Meridian, Other points of diversion: 0
5. a) The amount of water and use to which the water has been applied:
amount variable for fish growing purposes from Jan. 1 to Dec. 31 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)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ 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: Mar., April, & May low point 30 to 50 inches to a high in Sept. of 250 inches. By Dick Weaver ditch rider for T. F. Canal Co.
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: Drainage tunnel and tile from the Amos Drain. Owned by the Twin Falls Canal Co.
b) Describe the agreement or understanding by which you take water from the works: It is a legal agreement drawn up by the Twin Falls Canal Co. To use this water on a nonconsumptive basis.
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) Originates in a drainage tunnel then into a drainage tile surfaceing on the above described property.
b) Describe the type and size of measuring device which you have installed at your point of diversion: At the upper and lower or outlet and inlet of my construction I have rectangular wiers the inlet is 28'' wide at the outlet is 45'' wide.
c) Give well drillers name and address and date the well was completed _____

Exam typed 1-15-73

47 7094

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use It is used for the growing of rainbow trout to market size in a pond,
on the NE¹/₄ of SE¹/₄ Sec. 3 Township 10 Range 14 East Boise Meridian.

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

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	

Total number of acres irrigated _____

10. Remarks: _____

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

November 30, 1972 Ronald H. Porter
 (Date) (Signature)

State of Idaho)
 County of Twin Falls) ss.

On this 30th day of November, 19 72, personally appeared before me the
 signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Notary Public residing at Buhl, Idaho
[Signature]
 My commission expires November 20, 1976

October 30, 1972

C Donald H. Porter
Route #3
Buhl, Idaho 83316

RE: Permit No. 47-7094

O Dear Mr. Porter:

We have received your October 23rd letter requesting an extension of time to modify your inlet and outlet structures.

P Section 42-218 of the Idaho Code prevents us from granting an extension of time after the date proof of beneficial use was due which was October 1, 1972, for your permit.

Your permit may be reinstated if you will complete the enclosed Proof of Application of Water to Beneficial Use form and return it to us before December 4, 1972.

Y After the proof is submitted your project will be examined by someone from this department. This examination will probably be conducted next summer.

If you have any questions please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director
State Office

BDF:ejw

Enclosure

47 7094

RECEIVED

OCT 25 1972

Department of Water Administration

Buhl, Idaho
Oct. 23, 1972

STATE OF IDAHO ,
DEPARTMENT OF WATER ADMIN.
STATE HOUSE -ANNEX2
BOISE, IDAHO

Dear Sirs:

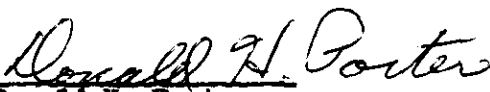
I am writing in regard to Permit No. 47-7094.
Which lapsed on October 1, 1972. It was an oversight on my part when I read your letter of Aug. 1, 72, I failed to get the date straight in my mind.

I do have rectangular devices at the upper and lower end of the fish pond, however I do need to make some modifications on them yet. In other words my Construction is not complete. I wanted to have it completed this fall. It all depends on whether I will be able to get the contractor here before it freezes.

I would appreciate it if you would grant me an extension until the spring of 1973.

Thanking you in advance. I remain.

Very truly yours,


Donald H. Porter

47 7094

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 5, 1972

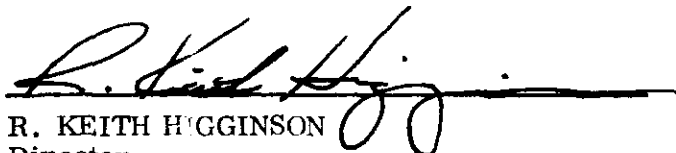
Re: Permit No. 47-7094

Donald H. Porter
Route # 3
Buhl, Idaho 83316

Dear Mr. Porter:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 47-7094 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:DR

47 7094

SENDER: Be sure to follow instructions on other side

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

(Additional charges required for these services)



Show to whom, date and address
where delivered



Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

23867

1

X *Donald H. Porter*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

INSURED NO.

X *Marjorie Porter*

DATE DELIVERED

8/2/72

3

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

17 7094

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office



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

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

17 7094

PS Form 3811 Nov. 1970 655-16-81277-1

23867
August 1, 1972 CERTIFIED MAIL

Re: Permit No. 47-7094

Donald E. Porter
Route # 3
Buhl, Idaho 83316

Dear Mr. Porter:

One of the conditions of approval of your water Permit No. 47-7094 (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 October 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

Enc: Proof affidavit
or

47 7094

September 11, 1970

Re: Application for Permit No. 47-7094

Mr. Donald H. Porter
Buhl, Idaho
83316

Dear Mr. Porter:

In reference to your letter of September 7, 1970, please be advised that the last date on which this department will receive protests on the above referenced permit, will end September 7, 1970. At this time, the application in question will be subject to our staff's review, and you should be notified within the next two weeks of their decision.

If we may be of any further assistance, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

17 7094

RECEIVED

SEP 11 1970

Buhl, Idaho
September 2, 1970

State of Idaho
Department of Water Administration
Boise, Idaho 83707

Dear Sirs:

In regard to Application for Permit No. 47-7094.

You requested additional information which I submitted. I have heard nothing since, and was wondering if there was still something lacking as I have heard nothing further from your office.

As I submitted the filing fee, I would like to get this taken care of. If there is something more you need I would like to be informed so I can get it to you.

Very truly yours,

Donald H. Porter
Donald H. Porter

17 7094

September 17, 1970

Re: Permit No. 47-7094

Mr. Donald H. Porter
Rte. 3
Buhl, Idaho 83316

Dear Mr. Porter:

Enclosed is a copy of your approved Application for Permit No. 47-7094. We direct your attention to the conditions of approval as listed on the fourth page.

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

Very truly yours,

C. Stephen Allred
Deputy Director

CSA:kh

Enclosures: Copy of permit
Receipt No. 4511 for \$30
1 letter

47-7094

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

Notice is hereby given that Donald H. Porter, Route 3, Buhl, Idaho, has on July 29, 1970, submitted Application No. 47-7094 to appropriate the public waters of a drainage tunnel.

The application proposes a maximum diversion and appropriation of 3.0 cubic feet per second of water to be diverted by pond within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 10S, R. 14E, B.M., Twin Falls County, and is to be used within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 10S, R. 14E, B.M. for fish propagation purposes from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before September 7, 1970.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald,
Buhl, Idaho, on August 20 and
August 27, 1970.
(322)

47-7094

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

August 12, 1970

Re: Application for Permit No. 47-7094 - Donald H. Porter

The Buhl Herald
P. O. Box 312
Buhl, Idaho 83316

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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM
Enc: Legal Notice

47-7094

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

Notice is hereby given that Donald H. Porter, Route 3, Buhl, Idaho,

has on July 29, 1970, 26200

submitted Application No. 47-7094 to appropriate the public waters of
a drainage tunnel

The proposed uses are //////////

The application proposes a maximum diversion and appropriation of 3.0
cubic feet per second at 66/666/ of water to be diverted by pond
within the NE 1/4 Sec. 3,
T. 10S, R. 14E, B.M., Twin Falls County,

and is to be used within the NE 1/4 Sec. 3, T. 10S, R. 14E, B.M. for fish
propagation purposes from Jan. 1 to Dec. 31

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Water Adminis-
tration on or before September 7, 1970.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald, Buhl, Idaho,

on August 20 and August 27, 1970

47-7094

July 23, 1970

Re: Application for Permit No. 47-7094

Mr. Donald H. Porter
Route # 3
Buhl, Idaho 83316

Dear Mr. Porter:

On April 20, 1970, the Department requested that you supply additional information in connection with your above referenced application for permit. We asked that this information be submitted on or before May 20, 1970. To this date we have not received a reply to this letter.

Please be advised that if we have not received an answer to our April 20th letter on or before August 6, 1970, your application will be voided and our records cleared.

Very truly yours,

Donald W. McElldowney
Appropriation Supervisor

DWM:DR

47-7094

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 20, 1970

Re: Application for Permit No. 47-7094

Mr. Donald H. Porter
Route # 3
Buhl, Idaho 83316

Dear Mr. Porter:

In reviewing your application for permit, we find that in order for your application to be considered complete it will be necessary for you to submit additional information on or before May 20, 1970, in order to maintain your proposed priority of April 17, 1970 (Sec. 42-204, Idaho Code).

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

47-7094

Page 2

Mr. Donald H. Porter

Re: 47-7094

April 20, 1970

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

If you have any questions concerning your application, please contact us at once.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Information letter

47-7094