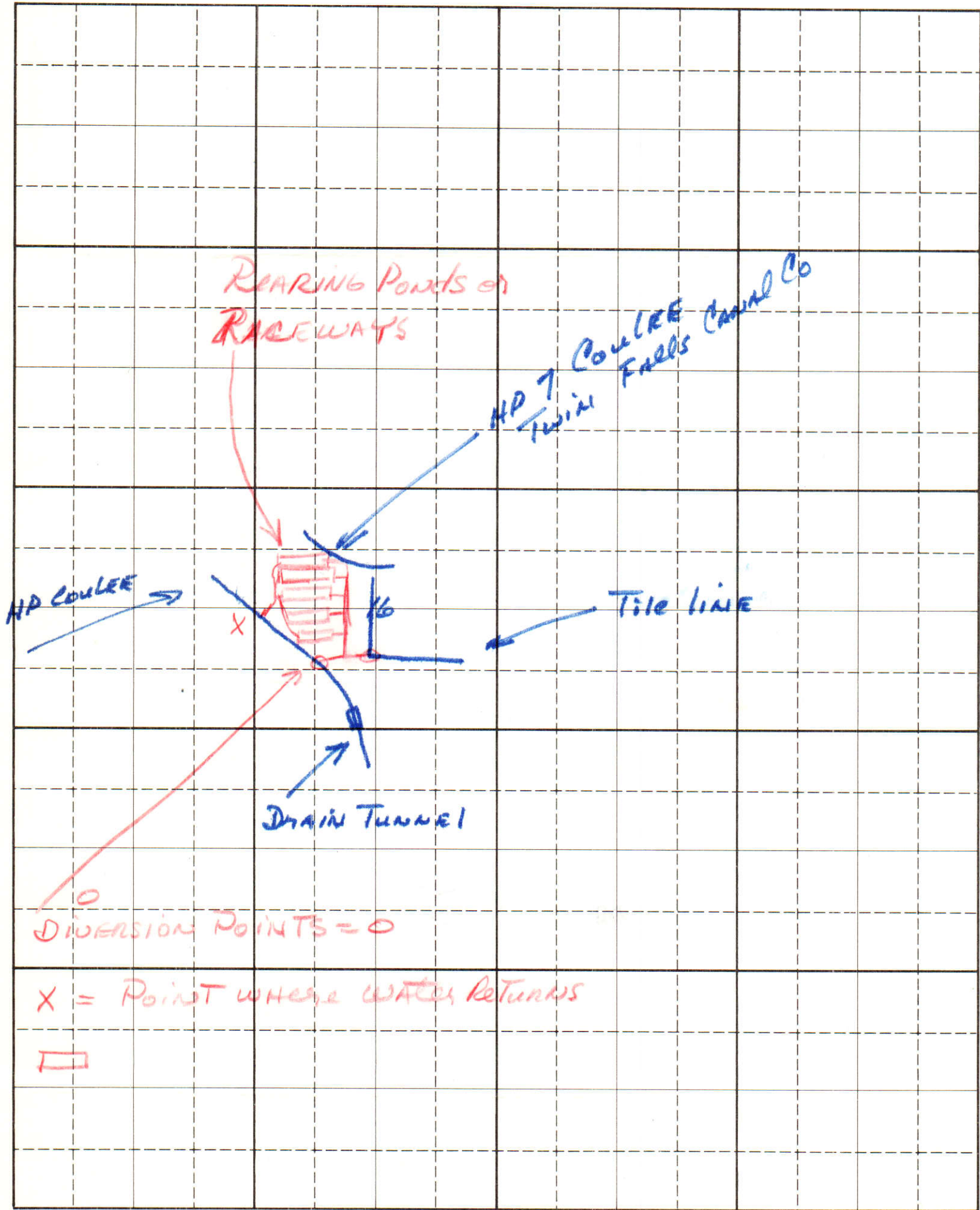


11. Map of proposed project:



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.

Arnell Peters
(Applicant)

47-7090

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

Notice is hereby given that Alfred Peters, Route 3, Twin Falls, Idaho, has on January 23, 1970, submitted Application No. 47-7090 to appropriate the public waters of a seepage tunnel and drain line, tributary of Deep Creek.

The application proposes a maximum diversion and appropriation of 6.0 cubic feet per second of water to be diverted by ditch and ponds within the NW1/4SW1/4 and or NE1/4SW1/4, Sec. 16, T. 10S, R. 14E, B.M., Twin Falls County, and is to be used within the NW1/4SW1/4, Sec. 16, T. 10S, R. 14E, B.M. from January 1 to December 31 for fish propagation purposes.

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 Reclamation on or before May 25, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Times-News, Twin Falls, Idaho, on May 7 and 14, 1970.

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

No. 14822

Department of Reclamation

I, Carolene Jennings, being first duly sworn upon oath, depose and say that I am press clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Thursdays, commencing with the issue dated May 7, 1970, and ending with the issue dated May 14, 1970.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

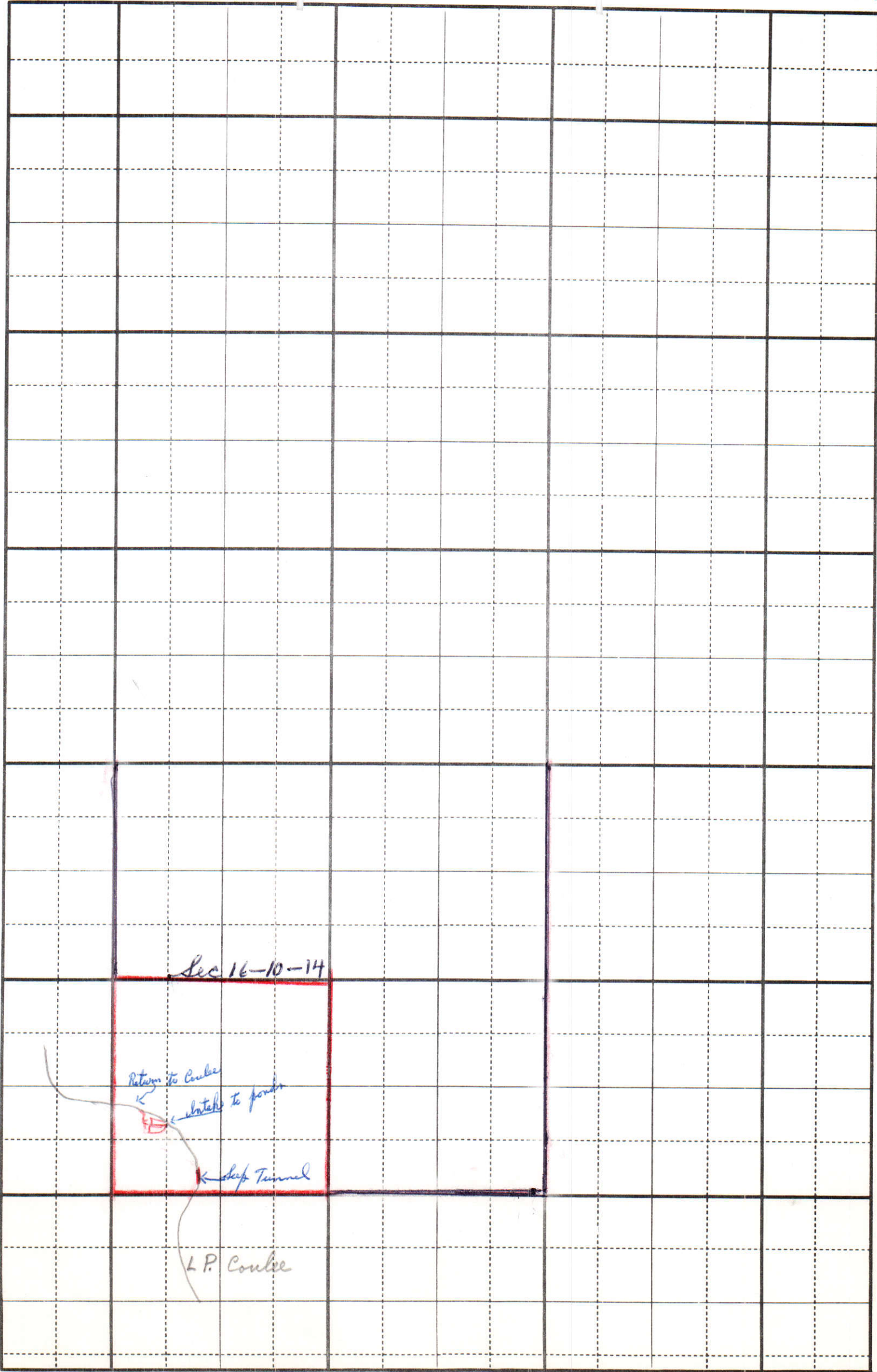
Carolene Jennings
Subscribed and sworn to before me this 15th day of May, 1970.

R. Keith Higgins
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

47-7090

NAME OF APPLICANT.....

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

47-7090

S.W. 1/4 of Sec 16-10-14

N.W. 1/4 of S.W. 1/4

N.E. 1/4 of S.W. 1/4

L.P. Coulee

outlet
into Coulee



Pond 40' x 150

Pond 40' x 150

Intake



S.W. 1/4 of S.W. 1/4

S.E. 1/4 of S.W. 1/4

47-7090

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7090 Priority Jan. 23, 1970 Amount 6.0 cfs

THIS IS TO CERTIFY, that VALLEY TROUT FARMS, INC.
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 47-7090 issued pursuant to Application for Permit dated January 23, 1970,
and has submitted proof to the Department of Water Resources on October 25, 1974,
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 16.02 cfs of water from seepage tunnel & drain line,
tributary to Deep Creek, 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
<u>Fish</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>6.0</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 6.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
n/a acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ of
Sec. 16, 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	16									X								

Total number of acres irrigated _____

Subject to the condition that the maximum quantity of water diverted shall not exceed
16.02 cfs when combined with License No. 47-7126 and 47-7127.

Measuring devices of a type approved by the Department shall be permanently main-
tained as part of the outlet works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 8 day of
March, 19 76.

Director

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

OCT 27

Department of Water Resources

I, Alfred Peters, hereby assign to Valley Trout Farms, Inc.
of Route 4 Buhl, Idaho
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 47-7090
to appropriate the public waters of the State of Idaho.

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

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

Made this _____ day of _____, 19____.

Alfred Peters
Permit Holder

Mrs Alfred Peters
Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 7 day of Feb, 1962, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

William L. Smith
Notary Public residing at

My commission expires:

1-1-65

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING DEVICE)
REQUIREMENT AT THE INLET WORKS FOR PERMIT NO. 47-7090)
in the name of VALLEY TROUT FARMS, INC.)

ORDER

WHEREAS, on January 23, 1970, Alfred Peters applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 6 cubic feet per second of water from a seepage tunnel and drainline, tributary to Deep Creek, within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, Twp. 10S, Rge. 14E, B.M., Twin Falls County, to be used for fish culture purposes; and,

WHEREAS, on June 1, 1970, the Department approved said application and issued Permit No. 47-7090 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1975, and that the permit holder shall install and maintain measuring devices of a type approved by the Department at the inlet and outlet works; and,

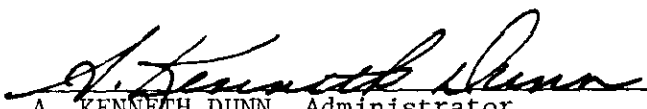
WHEREAS, on October 17, 1974, Alfred Peters assigned all his right, title, and interest, in and to Permit No. 47-7090 to Valley Trout Farms, Inc.; and,

WHEREAS, on October 25, 1974, the Department received the required proof of beneficial use along with a request that the measuring device requirement be removed from the inlet works; and,

WHEREAS, it has been determined by the Department that the permit holder has shown just cause to relieve the measuring device requirement at the inlet works; and,

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval of Permit No. 47-7090 that a measuring device be installed at the inlet works is REMOVED. The permit holder should be aware, however, that the Department will require a measuring device be installed and maintained at the outlet works.

Dated this 8th day of November, 1974.


A. KENNETH DUNN, Administrator
Operations Division

BDF:JG

NOV 15 1974

Identification No. 47-7090
Application No. _____

ASSIGNED TO: VALLEY TROUT FARMS, INC. STATE OF IDAHO

10/17/74 Route #4
Buhl, ID 83316

DEPARTMENT OF RECLAMATION

LICENSE ISSUED FOR 6.0 SEC. 11.
LICENSE PAGE NO. _____

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant ALFRED PETERS
post office address ROUTE 3, TWIN FALLS, IDAHO 83301
2. Source of water supply SMPAGE TUNNEL AND DRAIN LINE which is a tributary of DEEP CREEK
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 10S
Range 14E B.M. TWIN FALLS County; additional points of diversion if any: NE $\frac{1}{4}$ SW $\frac{1}{4}$ S 16, T. 10S. R 14E BM
- b. If water is not consumed, it will be discharged into HP CONLEY TWIN FALLS CANAL at a point in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 10S Range 14E B.M.
4. Water will be used for the following purposes:
Amount 6 cfs for FISH CULTURE purpose from JAN 1 to JUN 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. 6 CFS cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WOULD TAP DRAIN AND SMPAGE LINES FOR WATER. WOULD THEN RUN WATER THROUGH OPEN DITCHES TO REARING PONDS.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 5000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 10S
Range 14E 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: CONTINUING FRESH SUPPLY FOR REARING PONDS

47-7090

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

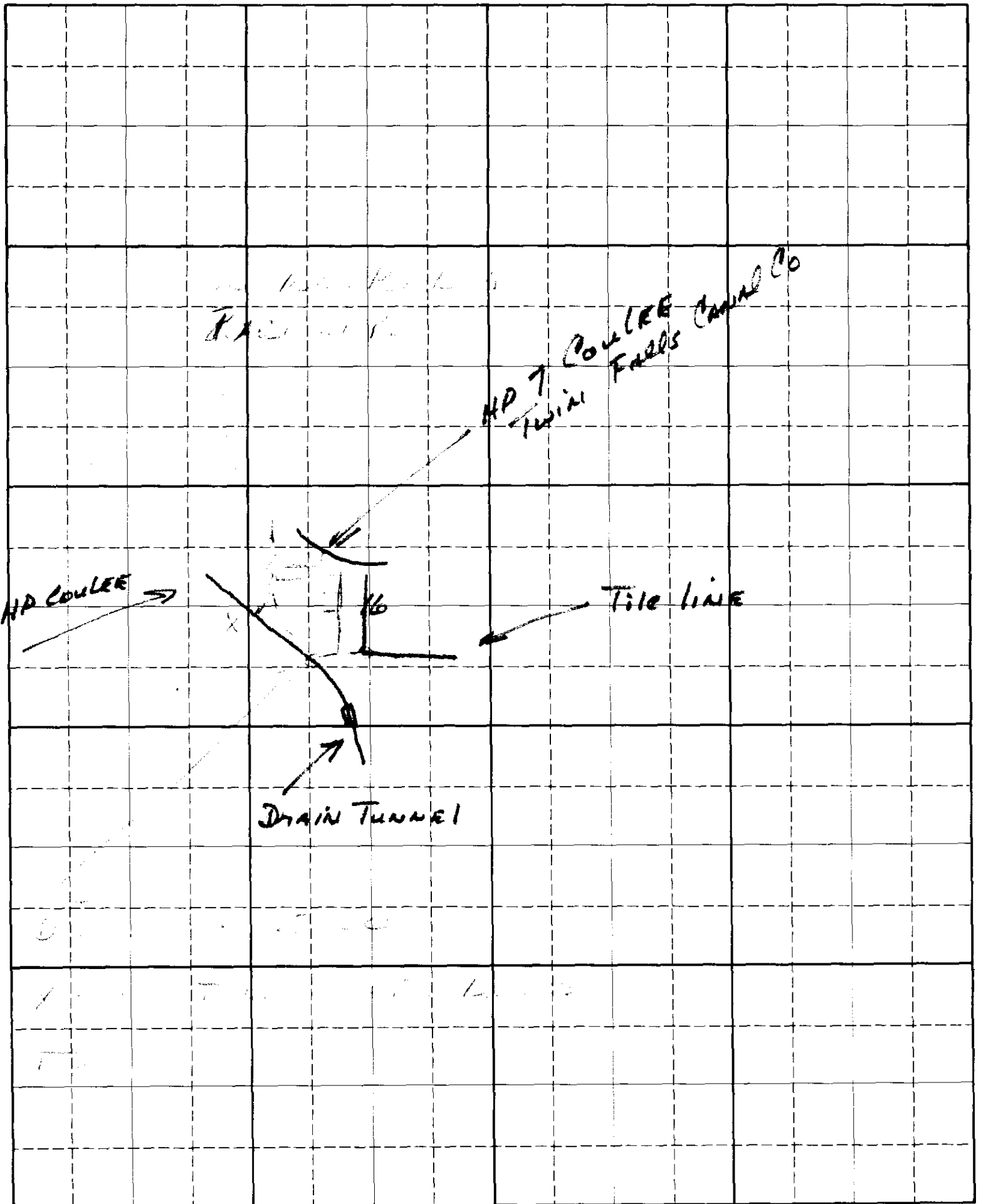
Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes _____
NONE

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

10. Remarks PROPOSED USE WILL BE NON-CONSUMPTIVE -
WOULD REAR APPROXIMATELY 10,000 LBS OF
FISH PER CUB. FT. OF WATER IF FLOW IS
STABLE.

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.

Carol S. Smith
(Applicant)

47-7090

Received by ej Date 1-23-70 Time 2:00 pm
Preliminary check by D Fee \$ 45.00
Received by ej Date 2-4-70
Publication prepared by de Date 2-23-70 4-29-70
Published in Lincoln News
Publication dates 3-5+12-70 5-7+14-70
Publication approved de Date 5-25-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WJB oA

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7090, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain measuring devices at the inlet and outlet. Said measuring devices shall be of a type approved by the department. M.O. removed from inlet ONLY by Order dated 11/8/74

2. Denial of said application is for the following reasons: _____

Witness my hand this 1st day of June, 19 70.

P. Keith Higgins
State Reclamation Engineer



TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326

TWIN FALLS, IDAHO, 83301

May 6, 1970



RECEIVED
MAY 10 1970
Department of Reclamation

Mr. Don McEldowny
Department of Reclamation
State House, Annex 2
Boise, Idaho 83707

Dear Sir:

Enclosed find signed statement by Twin Falls Canal Company Board Chairman, regard to my filing Permit No. 47-7090 for use of Drainage water on my farm for fish ponds in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 16-10-14 EBM.

The Canal Board is fully aware of the procedure and that I have signed the Canal Company agreement and paid the recording fee.

Yours truly,

Agnes Peters

Attest:

Thomas Olmstead
Chairman of the Board

47-7090

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No. <u>47-7090</u>		Name <u>Alfred Peters</u>	
Source <u>Seepage tunnel and drain line, tributary of Deep Creek</u>			
Point of Diversion <u>NW$\frac{1}{4}$SW$\frac{1}{4}$, NE$\frac{1}{4}$SW$\frac{1}{4}$, Sec. 16, T. 10S, R. 14E, B.M.,</u>			
<u>Twin Falls County</u>			
Quantity <u>6.0</u>	Use <u>fish propagation</u>	Period <u>Jan. 1 - Dec. 31</u>	
Quantity _____	Use _____	Period _____	
Quantity _____	Use _____	Period _____	
Well Size _____	Diameter _____	Proposed Depth _____	Feet _____
Use _____			
Date Forwarded <u>2-9-70</u> <u>3-16-70</u>		Date Returned <u>2-18-70</u>	Received by <u>Dunn</u>

RECOMMENDATIONS: <u>Fish prop. letter.</u>				
Qty. _____	Use _____	Period _____	AF _____	AFA _____
Qty. _____	Use _____	Period _____	AF _____	AFA _____
Qty. _____	Use _____	Period _____	AF _____	AFA _____
ACTION: Approved ☒ Denied _____				
Conditions of approval or reason for denial: <u>Recommend 2 yrs for</u>				
<u>application to beneficial use.</u>				
ENGINEERING _____	By <u>A. T. Dunn</u>		Title <u>Asst. State Eng.</u>	
Date <u>2-13-70</u>			<u>4-30-70</u>	

47-7090

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No. 47-7090 Name Alfred Peters

Source Seepage tunnel and drain line, tributary of Deep Creek

Point of Diversion NW 1/4, NE 1/4, Sec. 16, T. 10S, R. 14E, B.M.,
Twin Falls County

Quantity 6.0 Use fish propagation Period Jan. 1 - Dec. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use

Date Forwarded 2-19-70 Date Returned 3/4-70 Received by [Signature]

RECOMMENDATIONS: FROM SEEPAGE TUNNEL & DRAIN CONSTRUCTED
BY TWIN FALLS CANAL CO. - LOCATED @ 3 MILES
SOUTH AND 4 MILES WEST OF BUDL - WATER IS
DISCHARGING AT THIS SITE AS A RESULT OF APPLIED
IRRIGATION WATERS FROM CANAL

Qty. Use Period AF AFA

Qty. Use Period AF AFA

Qty. Use Period AF AFA

ACTION: Approved X Denied

Conditions of approval or reason for denial:

INVESTIGATION By [Signature] Title ASSIST STATE REC ENGR

Date MARCH 4 - 70

47-7090

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS }

ss.

No. 14822

I, Carolyn J. Jernings, being first duly sworn upon

oath, depose and say that I am gone clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two

consecutive four days, commencing with the issue dated May 7, 1970, and ending with the issue dated May 14, 1970.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 15th day of

May, 1970.

W. H. H. H. H.
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

provide the public waters of a
diversion tunnel and drain line,
tributary of Deep Creek.
The application proposes a
maximum diversion and ap-
propriation of 40 cfs and per
second of water to be used by
ditch and
NW1/4 Sec. 16, T. 18S, R. 1E,
County, and
NW1/4 Sec. 16, T. 18S, R. 1E,
B.M. from January 1 to Decem-
ber 31, 1970, for fish propagation purposes.
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
person who has this application must
be filed with the Idaho Department
of Agriculture or its successor,
1. E. H. H. H. H.,
State Registration Engineer
in the Times-News, Twin
Falls, Idaho, on May 7 and 14, 1970.

March 10, 1976

Re: Permits No. 47-7090, 47-7126 & 47-7127

Valley Trout Farms, Inc.
Route # 4
Buhl, Idaho 83316

Gentlemen:

Enclosed are copies of the Water Licenses issued on the above referenced permits.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

Enc: Copy of license (3)

February 20, 1976

Re: Permits No. 47-7090, 47-7126 & 47-7127

Valley Trout Farms, Inc.
Route # 4
Buhl, Idaho 83316

Gentlemen:

A representative of this Department has made an examination of the works covered by the above referenced permits and has found the following:

Permit 47-7090 Quantity of water diverted: 16.02 cfs
Source: seepage tunnel & drain line
Amount of water that can be recognized as beneficially used
under Idaho law: * 6.0 cfs
Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, Twp. 10 S,
Rge. 14 E, B. M., Twin Falls County
Beneficial use: Fish propagation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16,
Twp. 10 S, Rge. 14 E, B. M.
Priority established: January 23, 1970

Permit 47-7126 Quantity of water diverted: 16.02 cfs
Source: seepage tunnel
Amount of water that can be recognized as beneficially used
under Idaho law: * 16.02 cfs
Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, Twp. 10 S,
Rge. 14 E, B. M., Twin Falls County
Beneficial use: Fish propagation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16,
Twp. 10 S, Rge. 14 E, B. M.
Priority established: January 25, 1972

Page 2

Valley Trout Farms, Inc.

Re: 47-7090-47-7126-47-7127

Permit 47-7127 Quantity of water diverted: 16.02 cfs

Source: drain line

Amount of water that can be recognized as beneficially used
under Idaho law: * 14.0 cfs

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, Twp. 10 S,
Rge. 14 E, B.M., Twin Falls County

Beneficial use: Fish propagation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16,
Twp. 10 S, Rge. 14 E, B.M.

Priority established: November 1, 1971

* Subject to the condition that the maximum quantity of water
shall not exceed 16.02 cfs when all three licenses are combined.

If you do not concur with these findings please contact us within 10 days, otherwise
water licenses will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

FIELD REPORT

Phone _____
Southern District Office

Phone _____

- Tributary to Deep Creek

- Amount 6 c.f.s. for fish culture
 AF/Annum (nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

Other uses:

- Max Rate of Diversion 6 cubic feet per second and annual volume _____ AF/Annum.

- County

1/4 Twin

County

County

Description of diverting works: Concrete structure & seep lines to fish ponds.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

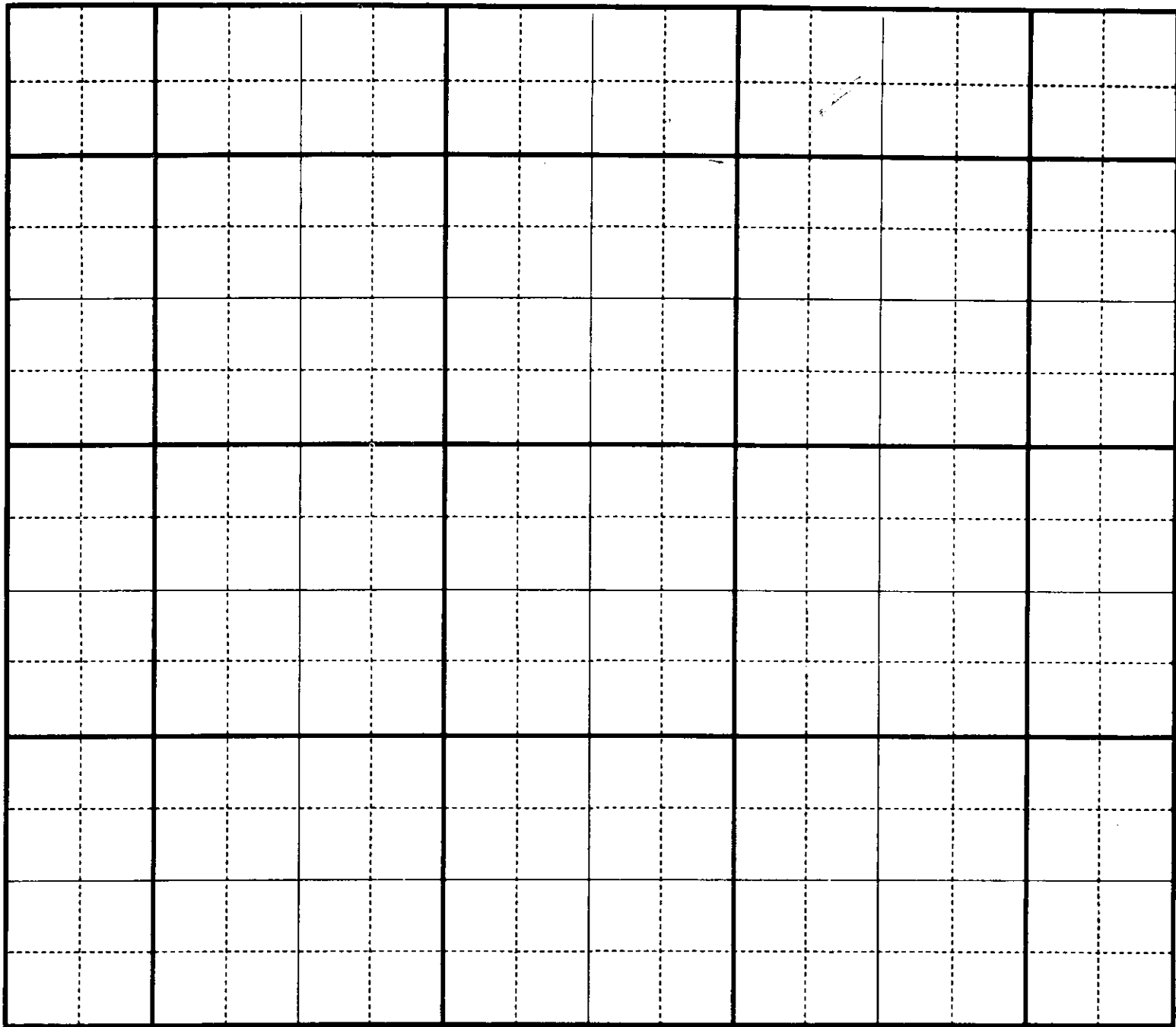
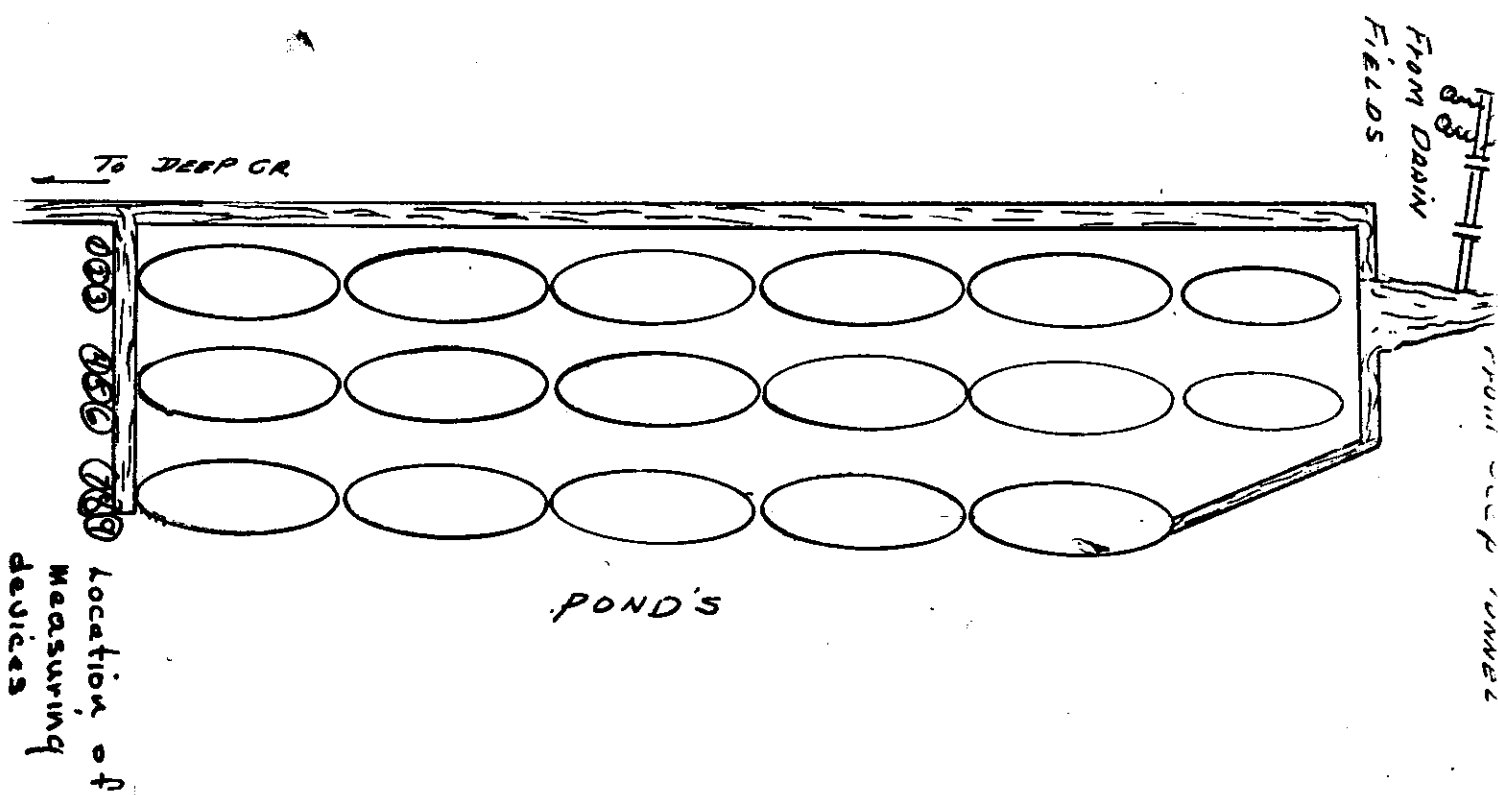


Diagram of System



DATE OF EXAM 11-28-75

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 Q = 6.0 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. $\frac{1}{4}$ $\frac{1}{4}$ County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Point of injection:
twp. N/S, Rge 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. $\frac{1}{4}$ $\frac{1}{4}$ County

Total Q measured 16.02 c.f.s. Method of measurement Gipolletti Weirs

Total Q recommended 6.0 c.f.s. Meter No. ✓ Type 48" Condition good.

Total V recommended ✓

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

Measured Q = 16.02 c.f.s.
Allowed Q = 6.0 c.f.s. Amount Applied for
Measuring device @ outlet works only
(9) Weirs, all were 48" wide. (1) .30 = 2.21 c.f.s. (2) .26 = 1.78 c.f.s.
(3) .28 = 2.00 c.f.s. (4) .22 = 1.39 c.f.s. (5) .33 = 2.55 c.f.s. (6) .30 = 2.21 c.f.s. (7) .23 = 1.48 c.f.s.
(8) .20 = 1.20 c.f.s. (9) .20 = 1.20 c.f.s.

SYSTEM DESCRIPTION:

Seepage Tunnel & Drainline diverts into Fish Ponds. After running
Through fish Ponds the water is Conveyed to Deep Cr.

REMARKS:

There are (2) other permits # 47-7127, 47-7126, Combined
should not exceed 16.02 c.f.s.

Examiner's Signature Samy Sunderburg Date 12-1-75

Checked by Allen Marrett Date 12-2-75

Approved by Michael Steele Date 1-9-76

November 8, 1974

Re: Permit No.'s 47-7090, 47-7126 & 47-7127

Valley Trout Farms, Inc.
Attn: Shelby Williams, Pres.
Route #55
Buhl, ID 83316

Dear Mr. Williams:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits. Enclosed are three Orders removing the measuring device requirements at the inlet works, only, for these permits. Please be advised that measuring devices will be required at the outlet works. The Order for Permit No. 47-7126 also reinstates the permit, and advances the priority to January 11, 1972.

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

If you have any questions concerning the field exams, please contact our Southern District Office in Twin Falls.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:HG
Enclosures

MICROFILMED

Identification No. _____

Permit No. 47-7090

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

OCT 25 1974

Department of Water Resources
Southern District Office

Alfred Peters Assigned

1. a) Name of Permit Holder VALLEY TROUT FARMS, INC.
b) Post Office Address Route #4, Buhl, Idaho
2. Permit Number 47-7090
3. Date of Priority that you are prepared to establish 1-23-70
4. a) Source from which water was appropriated Seepage Tunnel & Drain Line
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 16
Township 10 South, Range 14 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 8 C.F.S. for Fish Preparation purposes from 1-1 to 12-31 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 8 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: Gary Funderburg
Dept. of Water Resource Examiner
- X 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: _____
b) Describe the agreement or understanding by which you take water from the works: _____
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) Concrete Structure and Seepelines to Fish Ponds
b) Describe the type and size of measuring device which you have installed at your point of diversion: Cipolletti Weirs (12) Weirs
c) Give well drillers name and address and date the well was completed _____

Exam typed 11/8/24 by ff

MICROFILMED

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

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10 S	14 E	16										X							

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.

10-24-74 (Date) Valley Trout Farms, Inc. by Sully Williams, Inc. (Signature)

State of Idaho)
County of Twin Falls) ss.

On this 24th day of October, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jane G. Wright
Notary Public residing at Boise

My commission expires 12-5-75

RECEIVED

OCT 25 1974

Department of Water Resources
Southern District Office

Buhl, Idaho
October 24, 1974

Mr. Bob Fleenor
State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho

Dear Mr. Fleenor:

We request a waiver of inlet measuring devices for Permits # 47-7126, 47-7127 and 47-7090, all in the name of Valley Trout Farms, Inc, Route #4, Buhl, Idaho

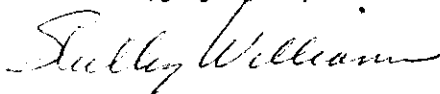
The following reasons justify our request:

- a. Because construction of the inlet device is not possible due to amount of water and impossible to channel from present diversion.
- b. Department personel, District Engineer Robert Haynes, agrees with waiver to be granted from State Office because of situation of inlets.
- c. Valley Trout is the only water right using this seepage tunnel; therefore no other rights could be hurt from lack of control.
- d. Water seeps in through lower ponds from high water table in our area.

Outlet measuring devices are installed and have been measured by Gary Funderburg, Department Resource Examiner.

Thank you for your attention to this matter.

Sincerely yours,



Shelby Williams, Pres.
Valley Trout Farms, Inc.

SW/jw

MICROFILMED

RECEIVED

OCT 25 1974

Department of Water Resources
Southern District Office

October 24, 1974
Buhl, Idaho

Mr. Bob Fleenor
State of Idaho
Department of Water Resources
State House
Boise, Idaho

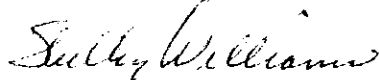
Dear Mr. Fleenor:

Enclosed please find proof of beneficial use for application No. 47-7126, 47-7127 and 47-7090.

We are also enclosing a latter for waiver of inlet measuring device for these permits as they all enter the same installation.

Thank you for your attention to this matter.

Sincerely yours,



Shelby Williams, President
Valley Trout Farms, Inc.

SW/jw
Enclosures

MICROFILMED

October 23, 1974

Re: Permit No. 47-7090

Valley Trout Farms, Inc.
Route #4
Buhl, ID 83326

Gentlemen:

We acknowledge receipt of the assignment submitted conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

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

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

October 1, 1974

Re: Permit No. 47-7090 - Alfred Peters

Malley Trout Farms, Inc.
Route #4
Buhl, ID 83316

Gentlemen:

We are in receipt of the application for extension of time submitted in connection with the above referenced permit.

However, we cannot accept this extension application since this permit is now in the name of Alfred Peters. In order for the extension request to be acceptable, this permit must be assigned to you by Mr. Peters. Enclosed is an assignment of permit form for your use in this matter, along with the extension application you submitted.

Proof of beneficial use is not due for this permit until June 1, 1975, and the permit holder will be notified 60 days prior to that date which will allow sufficient time to submit an extension request.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enc: Extension application
Assignment form

MICROFILMED

June 4, 1970

Re: Permit No. 47-7090

Mr. Alfred Peters
Route 3
Twin Falls, Idaho 83301

Dear Mr. Peters:

Enclosed is a copy of your approved Application for Permit No. 47-7090. We direct your attention to the conditions of approval on the fourth page under approval of the State Reclamation Engineer.

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
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 4155 for \$45
1 informational letter

47-7090

April 29, 1970

Re: Application for Permit No. 47-7090 - Alfred Peters

Times News
Box 548
Twin Falls, Idaho 83301

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:DR
Enc: Legal notice

*Bill submitted
5-23-70
DW*

47-7090

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

Notice is hereby given that Alfred Peters, Route 3, Twin Falls, Idaho,
has on January 23, 1970,
submitted Application No. 47-7090 to appropriate the public waters of
a seepage tunnel and drain line, tributary of Deep Creek.

~~The proposed use is~~ _____

The application proposes a maximum diversion and appropriation of 6.0
cubic feet per second ~~acre/feet/~~ of water to be diverted by ditch and ponds
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and/or
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 10S, R. 14E, B.M., Twin Falls County,

and is to be used within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 10S, R. 14E, B.M. from
January 1 to December 31 for fish propagation purposes

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 Reclamation on
or before May 25, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Times News, Twin Falls, Idaho,
on May 7 and May 14, 1970.

47-7090

Department of Reclamation
Slatehouse - Annex - 2
Boise, Idaho
Mr Donald W McEldowney.

March, 13 1970

RECEIVED

Department of Reclamation

Re: Application for permit
NO. 47-7090

Dear Mr McEldowney

- 1st Enclosed find financial statement as per your request in letter Feb. 24 1970
 - 2nd Design of general layout
 - 3rd Expect to feed up to 50,000 fish
 - 4th Construction to start April 1, 1970 and in full
production April 30, 1971
- Entrance and outlets to have Cippillette weirs

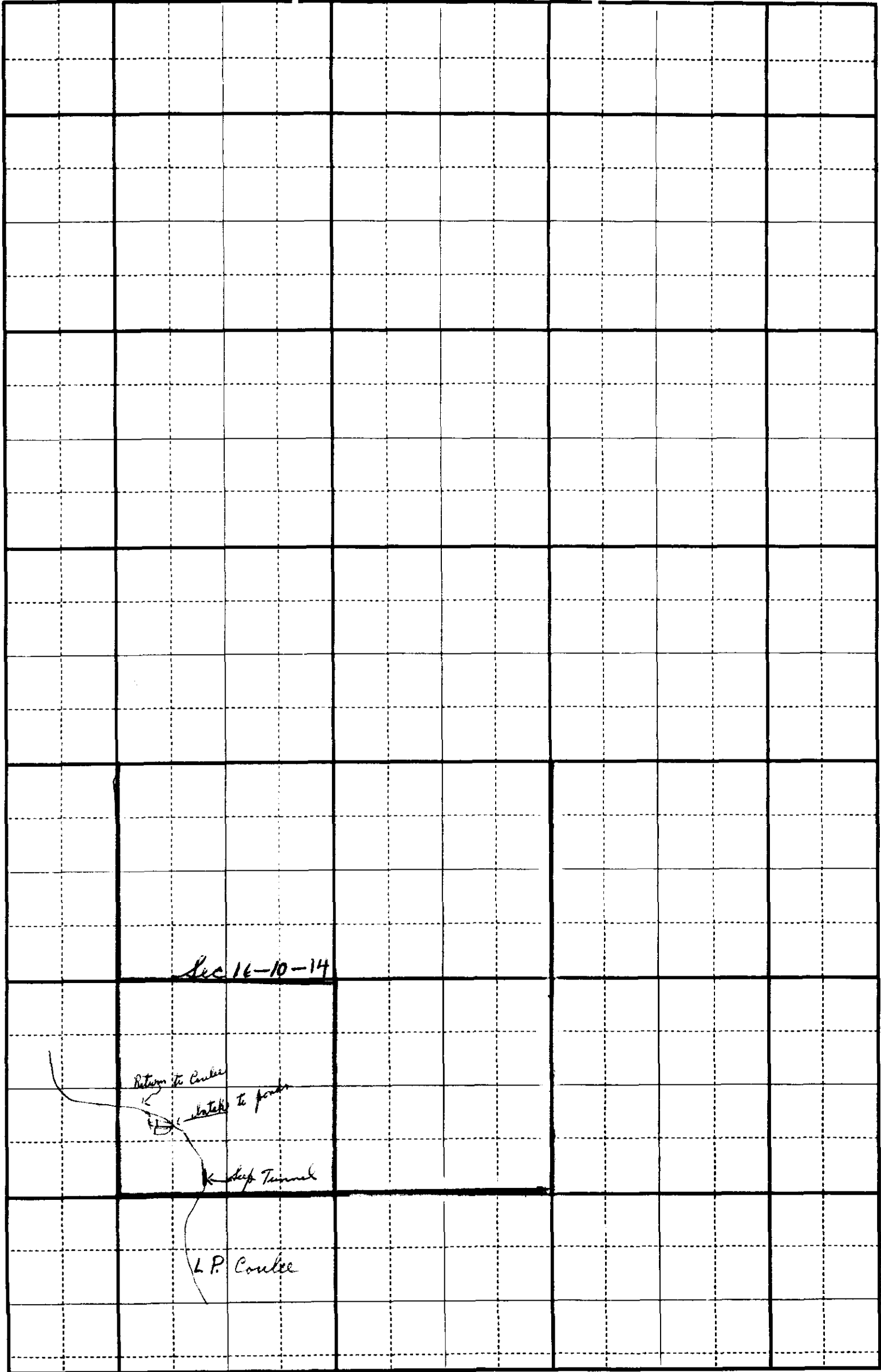
Yours very Truly,
Alfred Peters.

B-3

Twin Falls,
Idaho.

83301

47-7090



S.W. 1/4 of Sec 16-10-14

N.W. 1/4 of S.W. 1/4

N.E. 1/4 of S.W. 1/4

L.P. COULEE

outlet
into coulee

?

Pond 40' X 150'

Pond 40' X 150'

intake

S.W. 1/4 of S.W. 1/4

S.E. 1/4 of S.W. 1/4

117-7090

Individual or Partnership Statement
FIDELITY NATIONAL BANK

TWIN FALLS, IDAHO

BRANCH AT FILER

Name Alfred Peters Age 65 Address R. 3 Twin Falls, Ida.
 Spouse Johna Mae Children 1 Shirley Pike Occupation General Manager T.F. Canal Co.

For the purpose of obtaining credit with you from time to time il herewith submit the following as being a fair and accurate statement of my financial condition on March 6, 1970.

ASSETS						AMOUNT	LIABILITIES		AMOUNT
Cash on hand and in Bank						7800 ⁰⁰	Due this Bank		none
Notes Receivable (List on reverse side)									
Accounts Receivable							Due other Banks		none
Cash Value Life Insurance						10,000 ⁰⁰	Mortgages on Livestock		none
Merchandise (how valued) <i>Shop Equipment</i>						1500 ⁰⁰	Mortgages on Crops and Machinery		none
Farm Produce							Loans on Life Insurance		none
Stocks and Bonds <i>Gov. Certificates</i>						22000 ⁰⁰			
LIVESTOCK	No.	Breed	Weight	Age	Value		Doctor		none
<i>2 Cows</i>	<i>25</i>	<i>Hf.</i>	<i>1200</i>	<i>3-8</i>	<i>2400</i>	<i>3500⁰⁰</i>	Grocer		none
<i>Calves</i>	<i>15</i>	<i>"</i>	<i>300</i>	<i>4 mo</i>	<i>1000</i>	<i>1500⁰⁰</i>	Other Accounts Payable		none
							Installment Contracts on		none

DESCRIPTION OF REAL ESTATE OWNED OR LEASED

Location	Acres	Improvements	In Whose Name Is Title Held	Value of Land & Imp'v'm'ts	Am't Mt'g's or Liens	To Whom	When Due
Sec. 23-9-17	40	none	Alfred Peters	40,000 ⁰⁰	none	✓	✓
" 12-10-17	78	28,000 ⁰⁰	" "	96,000 ⁰⁰	none	✓	✓
" 12-11-16	80	3,000 ⁰⁰	" "	40,000 ⁰⁰	none	✓	✓
" 16-10-14	80	none	" "	36,000 ⁰⁰	none	✓	✓
" 16-10-14	80	5,000 ⁰⁰	" "	26,000 ⁰⁰	none	✓	✓

REFERENCES:

Fidelity National Bank.
 Twin Falls Bank & Trust.
 First Federal Savings & Loan.

PRESENT JOB, SALARY AND OTHER INCOME

General Manager, Twin Falls Canal Co.
 Salary 12,000⁰⁰
 Int. 1,100⁰⁰ from securities
 Income from farms - 9

FORMER RESIDENCES, JOBS, FARMS LEASED

Details of Proposed Loan—Any Other Pertinent Information

SIGNED

Alfred Peters

SIGNED

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

February 24, 1970

Re: Application for Permit No. 47-7090

Mr. Alfred Peters
Route 3
Twin Falls, Idaho 83301

Dear Mr. Peters:

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 March 24, 1970, in order to maintain your proposed priority of January 23, 1970. (Sec. 42-204, Idaho Code)

1. A financial statement indicating the resources available to complete the project as described in the application.
(see 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 dates for the start of construction, the finish of construction, and the date that full operation of the hatchery is anticipated.

47-7090

Page 2

Mr. Alfred Peters

Re: 47-7090

February 24, 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.

On your application you have listed the place of use as being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 16. We are enclosing a copy of the map on the application which does not correspond with the above description of the place of use. We are also enclosing a map sheet which you may use to submit a corrected map.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of map
Map sheet

47-7090