

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 137444

To appropriate the public waters of the State of Idaho

1. Name of applicant George C. Kimball or Beverly Kimball Phone 425-3239
Post office address Box 121 Grace, Idaho 83241
2. Source of water supply Springs which is a tributary of Bear River
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 17 Township 10S Range 40E B.M. Caribou County; additional
points of diversion if any: NE1/4SW1/4SE1/4; SW1/4NE1/4SE1/4, Sec. 17, T. 10S, R. 40E, B.M.
4. Water will be used for the following purposes:
Amount 20.0cfs for Fish Propagation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 20.0 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Cement & earth diversion will collect
springs into raceways. Gravity feed into plant.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. H/Fish Propagation. This will be an egg taking station with 12,000 to 15,000 adult fish.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

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	
10S	40E	17													H			H	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____
Applicant has contacted down-stream users & has tentatively worked out any potential conflicts.

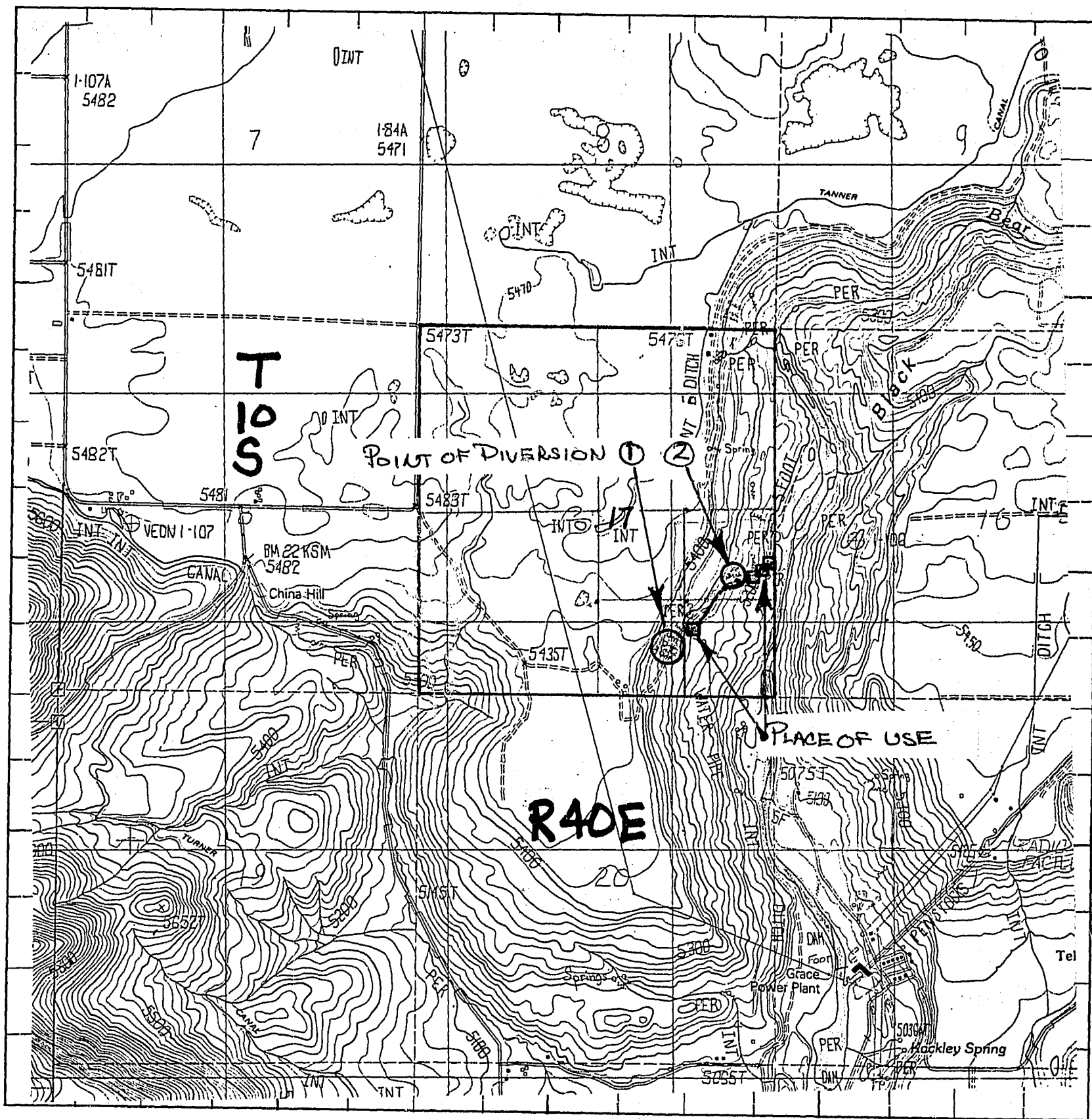
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: See attached specifications on plant size etc...
Point of effluent is: NE1/4 SE1/4 Sec. 17 T10S R40E B.M.

73 1200

13-7444

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

George C. Kimball
(Applicant)

Received by SSV Date 5/7/87 Time 5:05 Preliminary check by HWS
Fee \$ 425⁰⁰ Receipted by ~~41179~~ SSV # 41179 Date 5/7/87
Publication prepared by CLW Date 5-13-87 Published in James River
Carroll City Sun
Hewiston Pub
Publication approved dfg Date 6-18-87 Idaho Statesman
5/21 + 5/28/87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

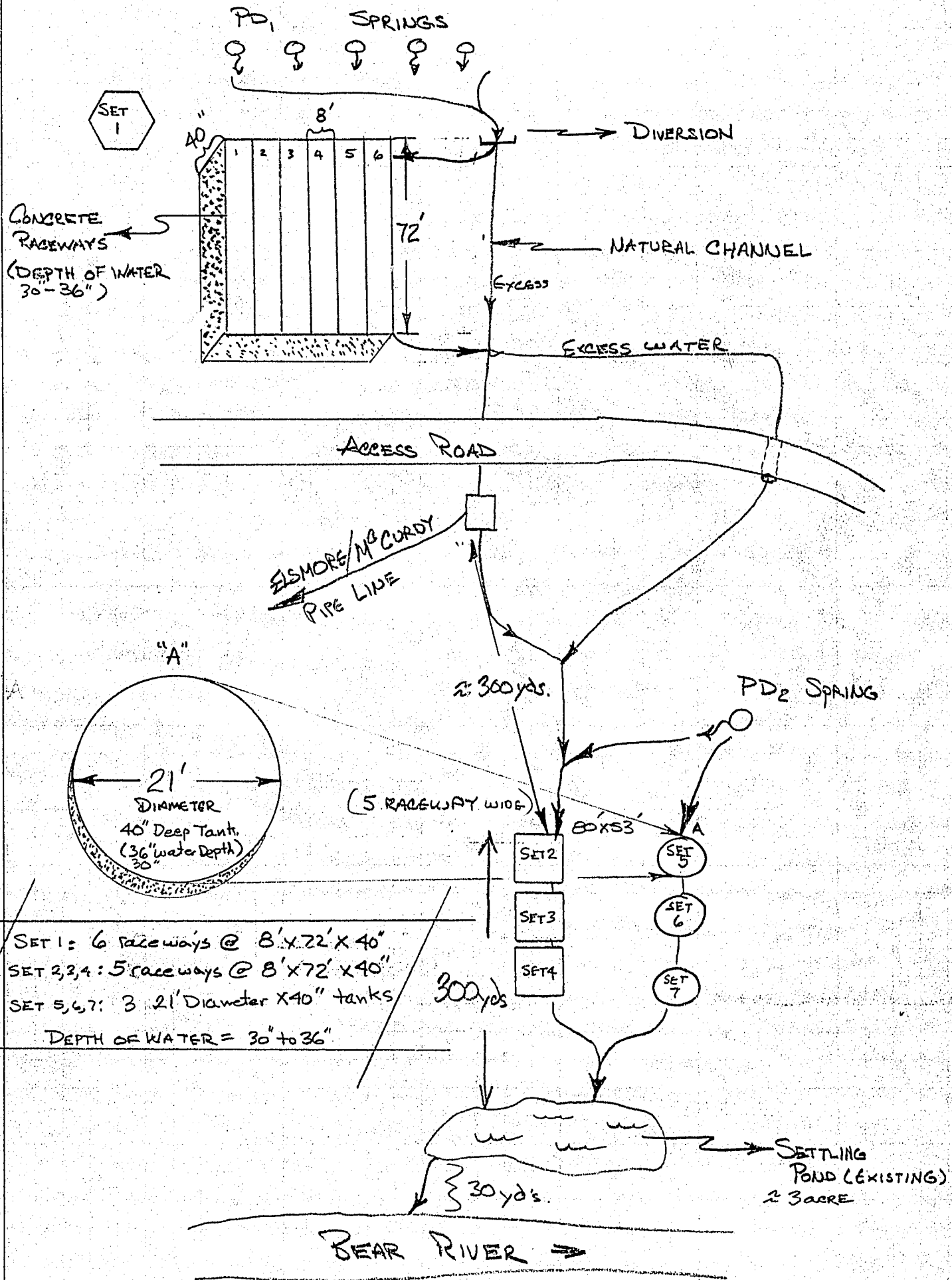
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

BLACK CANYON TROUT FARM - PROPOSED DEVELOPMENT EST. COST \$30,000⁰⁰

42.381 50 SHEETS 5 SQUARE
42.382 100 SHEETS 3 SQUARE
42.383 200 SHEETS 3 SQUARE
NATIONAL



Warranty Deed

THIS INDENTURE, Made this 28th day of May
in the year of our Lord One Thousand Nine Hundred and Eighty-five, between
EVERETT W. SMITH AND VIOLA P. SMITH, husband and wife
of Grace, County of Caribou, State of Idaho
the parties of the first part, and
GEORGE C. KIMBALL AND BEVERLY KIMBALL, husband and wife
of Grace, County of Caribou, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
SIXTY THOUSAND AND NO/100 ----- DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 10 South, Range 40 East of the Boise Meridian:

Section 17: Beginning at the East Quarter corner of said Section 17,
and running
thence West 1320 feet;
thence South 630 feet;
thence South 28° 00' West 1450 feet;
thence South 59° 00' East 292 feet;
thence North 31° 00' East 161 feet;
thence North 41° 00' East 188 feet;
thence North 88° 00' East 1545.11 feet,
to the East line of said Section 17;
thence North along the East Section line 1726.85 feet,
to the point of beginning.

Subject to taxes accruing from date of closing, reservations in United States
Patent, and such exceptions and reservations as are normally included in owners'
policies of title insurance issued by title companies in this area.

Reserving, also, unto parties of the first part, all right, title and interest
in and to that certain Oil and Gas Lease issued by said parties of the first part
to Rex L. Randolph, for a base term of 10 years, dated August 12, 1981, recorded
March 22, 1982, under recorder's instrument No. 111637, in the Microfilm Records
of Caribou County, Idaho.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said parties of the second part, and to their heirs and assigns forever. And the said
parties of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said parties of the second part their heirs and assigns against the said parties of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

EVERETT W. SMITH

VIOLA P. SMITH

[Seal]

[Seal]

[Seal]

[Seal]

STATE OF IDAHO,
County of Caribou

ss.

On this

28th day of May

in the year 1985, before me

the undersigned

a Notary Public

in and for said County and State, personally appeared

EVERETT W. SMITH AND VIOLA P. SMITH, husband and wife

known to me to

be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Rona Jean Benson

Notary Public.

Residence and P. O. Address Soda Springs, Idaho
Commission expires: August 15, 1985

124526
WARRANTY DEED

EVERETT W. SMITH AND VIOLA P.
SMITH, husband and wife

TO

GEORGE C. KIMBALL and BEVERLY
KIMBALL, husband and wife

Dated May 28, 1985

STATE OF IDAHO,
County of Caribou } ss.

I hereby certify that this instrument was filed for
record at the request of

Caribou Title Company

at _____ minutes past 3:00

o'clock P. M., this 29th day

of May, A. D. 1985

in my office and duly recorded in the micro-

film records of said county.

RECORDED

Ex-Office Recorder.

By *[Signature]*
Deputy.

Fee, \$ 4.00

GEO. FRIMES & SONS, INC., POCAHONTO, IDAHO

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being duly sworn on his oath,
states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County that said newspaper
has been published in said County
uninterruptedly and continuously
for over seventy-eight consecutive
weeks, prior to the first publica-
tion of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping attached
in the regular and entire edition of
said newspaper and not in any

supplement thereof for 2
successive weekly issues thereof,
the date of the first publication

being the 21st day of
May, 19 87

The date of the last publication

being the 28th day of
May, 19 87

Subscribed and sworn to before
me this 29th day

of May, 19 87

Clarence Steele
Notary Public, residing
at Soda Springs, Idaho

(SEAL)
My Commission expires the
1st day of March

19 88.

PUBLIC NOTICE
First Time Published
NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
13-7444
KIMBALL, GEORGE C. AND OR
BEVERLY
BOX 121, GRACE, ID 83241
Source: **SPRINGS trib. to BEAR**
RIVER
Diversion Pt: **SESWSE NESWSE**
SWNESE Sec 17 T 10S R 40E
Use: **FISH PROP. (20.0 CFS)**
Date Filed: **05-07-1987**
In: **NESE SESE Sec 17 T 10S R 40E**
The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Eastern Region, 150 Shoup,
Suite 15, Idaho Falls, Idaho 83402 on or
before **JUNE 8, 1987**.
KEN DUNN
Director
Published May 21, and 28, 1987 in
the Caribou County Sun.

RECEIVED
JUN 18 1987

Department of Water Resources
Eastern District Office

**NOTICE OF
APPLICATION FOR
WATER RIGHT**

The following applica-
tion(s) have been filed to
appropriate the public
waters of the State of
Idaho:

13-7444
KIMBALL, GEORGE C.
&/or BEVERLY
BOX 121

GRACE, ID 83241
Source: SPRINGS trib.
to BEAR RIVER.

Diversión Pt: SESWSE
NESWSE SWNESE Sec

17, T 10S, R 40E
Use: FISH PROP
(20.0 CFS)

Date Filed: 05/07/1987
In: NESE SESE Sec 17,
T 10S, R 40E.

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water
Resources, Eastern
Region, 150 Shoup,
Suite 15, Idaho Falls,
Idaho 83402 on or before
JUNE 8, 1987.

KEN DUNN, Dir.
PUBLISH: Thursday,
May 21 and 28, 1987.

Affidavit of Publication

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

No 17426

I, Linda Capps McQuinn being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, 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 Weeks, commencing with the issue dated
May 21, 1987, and ending with the issue dated
May 28, 1987.

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,
until July 31, 1978, at which time said newspaper began daily publication 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 com-
petent 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 28 day of

May, 1987.

Quanna Shupe
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 357
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**Date 05/07/87 INVOICE No. 100106475Account No. 4460Description 04575NOTICTimes 2 Lines 23

Tab Lines _____

SOLD TO:

DEPT. OF WATER RESOURCES
150 SHOUP AVE. SUITE 15
IDAHO FALLS
ID 83402

\$ 20.13

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

**NOTICE OF APPLICATION
OF WATER RIGHT**

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

13-7444

KIMBALL, GEORGE C. &/or
BEVERLY
BOX 121, GRACE, ID 83241
Source: SPRINGS-trib. to: BEAR
RIVER
Diversion Pt. SESESE, NESWSE
SWNESE Sec 17 T 10S R 40E

Use: FISH PROP. (20.0 CFS)

Date Filed: 05/07/1987

In: NESE SESE Sec 17 T 10S R 40E

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
150 Shoup, Suite 15, Idaho Falls, Ida-
ho 83402 on or before JUNE 8, 1987.

KEN DUNN, Dir.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

J. L. Blackwell, being duly sworn,
deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 052187
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 052187, and the last pub-
lication thereof being on the 052087, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

J. L. Blackwell
SUBSCRIBED AND SWORN BEFORE ME THIS THE 1
day of June 1987

Michael M. Long
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED

JUN 4 1987

Department of Water Resources
Eastern District Office

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

30.18

Account Name		Account Number	
Idaho Department of Water Resources (Eastern)		#100564	
Address		City/State	Zip
150 Shoup, Suite 15		Idaho Falls, ID	83402
Ordered By	P.O. Number	Rate	Run Dates
Michele Davis		NT	1987 May 21, 28
Identification		Estimated Inches	Real Inches
Application: Kimball			
Number of Affidavits Requested			Legal Number
1			#5384

RECEIVED
MAY 29 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Deborah Gregory, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of May 21, 19 87

and ending with the issue of May 28, 19 87

Deborah Gregory

Subscribed and sworn to before me this 28th

day of May, 19 87

Connie Blackburn

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
13-7444
Kimball, George C.
&/or Beverly
Box 121
Grace, ID 83241
Source: Springs trib. to Bear River
Diversion Pt: SESWSE NESWSE
SWNESE Sec. 17 T 10S R 40E
Use: Fish Prop. (20.0 CFS)
Date Filed: 05/07/1987
In: NESE SESE Sec. 17 T 10S R 40E
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before June 8, 1987.
KEN DUNN
Director
Pub. May 21, 28, 1987 5384

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 13-07444

Proposed Priority: May 7, 1987 Maximum Diversion Rate: 20.00 CFS
This is to certify, that GEORGE C KIMBALL
BEVERLY KIMBALL
BOX 121
GRACE ID 83241
has applied for a permit to appropriate water from:

SPRINGS tributary of BEAR RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
FISH PROPAGATION	01/01 to 12/31	20.00 CFS

LOCATION OF POINT(S) OF DIVERSION:
SWNESE , Sec. 17, Township 10S, Range 40E
NESWSE , Sec. 17, Township 10S, Range 40E
SESWSE , Sec. 17, Township 10S, Range 40E
CARIBOU County

PLACE OF USE: FISH PROPAGATION
TWN RGE SEC

10S 40E 17 NESE SESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1994.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
4. Measuring devices of a type approved by the Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
5. In the event that water used under this right should be discharged into a natural channel, settling ponds will be required which are capable of reducing the silt load to such a level that the quality of the water would not be impaired for other beneficial uses.
6. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
7. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07444

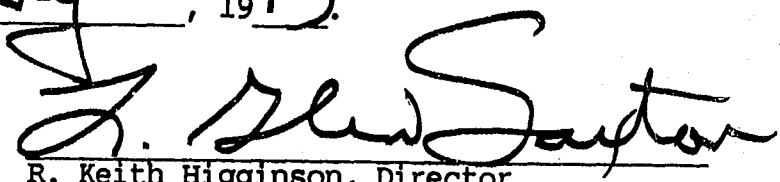
CONDITIONS/REMARKS:

9. Use of water under this right shall be non-consumptive.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

23rd day of February, 1993.

for


R. Keith Higginson, Director

13-7444

KIMBALL, GEORGE C. &/or BEVERLY

BOX 121, GRACE, ID 83241

Source: SPRINGS trib. to BEAR RIVER

Diversion Pt: SESWSE NESWSE ~~SWNESE~~ Sec 17 T 10S R 40E

Use: FISH PROP. (20.0 CFS)

Date Filed: 05/07/1987

In: NESE ~~SESE~~ Sec 17 T 10S R 40E

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 8, 1987.

KEN DUNN, Dir.

Published 5/21 & 5/28/87.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
13-7444

**KIMBALL, GEORGE C. AND-OR
BEVERLY**

BOX 121, GRACE, ID 83241

**Source: SPRINGS trib. to BEAR
RIVER**

**Diversion Pt: SESWSE NESWSE
SWNESE Sec 17 T 10S R 40E**

Use: FISH PROP. (20.0 CFS)

Date Filed: 05-07-1987

In: NESE SESE Sec 17 T 10S R 40E

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Eastern Region, 150 Shoup,
Suite 15, Idaho Falls, Idaho 83402 on or
before JUNE 8, 1987.

**KEN DUNN,
Director**

Published May 21, and 28, 1987 in
the Caribou County Sun.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 13, 1987

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 8, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 13, 1987

The Idaho Statesman
P. O. Box 40
Boise, Idaho 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 8, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

Abb. Rec'd

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 13, 1987

Lewiston Morning Tribune
505 "C" Street
Lewiston, Idaho 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before JUNE 8, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

Abb. Rec'd

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 13, 1987

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 8, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

Off. Rec'd

/0514 legl Id dpt water resources/
Kimball-180-2202 004.9 IN 05/15
10:31

**NOTICE OF
APPLICATION FOR
WATER RIGHT**

The following applica-
tion(s) have been filed to
appropriate the public
waters of the State of
Idaho:

13-7444
KIMBALL, GEORGE C.
&/or BEVERLY
BOX 121,
GRACE, ID 83241
Source: SPRINGS trib.
to BEAR RIVER.
Diversion Pt: SESWSE
NESWSE SWNESE Sec
17, T 10S, R 40E;
Use: FISH PROP.
(20.0 CFS)

Date Filed: 05/07/1987
In: NESE SESE Sec 17,
T 10S, R 40E.

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water
Resources, Eastern
Region, 150 Shoup,
Suite 15, Idaho Falls,
Idaho 83402 on or before
JUNE 8, 1987.

KEN DUNN, Dir.
PUBLISH: Thursday,
May 21 and 28, 1987.

May 27, 1987

George C. or Beverly Kimball
Box 121
Grace, Idaho 83241

RE: Application for Permit No. 13-7444

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 13-7444. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Caribou County Sun, Times News, Lewiston Tribune, and Idaho Statesman. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing in the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen
Assistant Regional Manager

EC/cw

May 27, 1987

State of Idaho
Department of Fish & Game
5205 So. 5th Ave.
Pocatello, Idaho 83205

Re: Application for Permit No. 13-7444, KIMBALL

Gentlemen:

We are enclosing a copy of an application that may be of interest to you. Please review the application and submit any comments you may have to our Department as soon as possible. The last date for protest is June 8, 1987 and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Ernest Carlsen
Assistant Regional Manager

EC/cw

Enclosure

June 4, 1987

Pete Peterson
Water District #11
Rt 2, Box 657
Preston, Idaho 83263

Re: Application for Permit No. 13-7444, Kimball

Dear Sir:

We are enclosing a copy of an application that may be of interest to you. Please review the application and submit any comments you may have to our Department as soon as possible.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Ernest Carlsen
Assistant Regional Manager

EC/dg

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 12, 1987

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Re: Applications No. 13-7444, Kimball; 11-7364, 11-7365, 11-7366,
13-4289, 13-4292, 13-4293, 13-7441, 13-7442, 13-7443,
29-7825, 29-7826, 29-7827, 29-7829, 29-7830, BLM.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on May 21, and May 28, 1987.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green
Office Secretary



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 13, 1992

George C. Kimball
Box 121
Grace, Idaho
83241

RE: Application for Permit No. 13-07444

Dear Mr. Kimball,

On May 7, 1987 you filed an application for permit to divert Spring water in the amount of 20.0 cubic feet per second for Fish Propagation. Enclosed is a copy of your application. The Department has held processing your application because of uncertainty with availability of unappropriated flows in the Bancroft Lund area.

The Department is now considering taking action on this application. Please advise me within fifteen (15) days as to whether you are still interested in pursuing the development you proposed on your application. If I do not hear from you, I will assume that you are no longer interested in this application and I will proceed with voiding the application.

If you have any questions, let me know, my phone number is 327-7947.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson'.

Jim Johnson
Water Rights Supervisor

enclosure

MEMORANDUM

Date: October 9, 1992
From: Jim Johnson
To: File
Subject: Telecon w/ George Kimball

=====

Mr. Kimball called in response to my letter of September 13, 1992 to inform me that the water use identified under this application had already been developed and used for several years.

This application should be processed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 24, 1993

GEORGE C KIMBALL
BEVERLY KIMBALL
PO BOX 121
GRACE ID 83241-0121

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07444

Dear Permit Holder(s):

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Please be advised that your plans for fish propagation may be subject to regulations of the Idaho Department of Fish and Game. We suggest that you check with them before starting construction.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Miller".

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosure

Form 217
11/91

RECEIVED

MAR 15 1993

OFFICE USE ONLY

Amt. of Fee \$ 575.00
Date 3-15-93
Receipt No. C 026991
Receipt by Jim

RECEIVED

MAR 15 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 13-07444 Telephone No. 208-425-3239

2. Name(s) of Permit Holder(s): George C Kimball

3. Mailing Address: Box 121 Grace - Ida - 83241

4. Source of Water: Black Canyon Springs

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other fish propagation

6. Total rate and/or volume for which proof is submitted 20 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☒ Yes _____ No Installed? ☒ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes ☒ No Installed? _____ Yes ☒ No

8. Fee Enclosed: \$ 575.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

George Kimball 208-425-3239
Name Telephone No.

Box 121 Grace Ida. 83241
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

3/11/93 George C Kimball owner
Date Signature (and title, if on behalf of a company or organization)

March 18, 1993

GEORGE C KIMBALL
BEVERLY KIMBALL
BOX 121
GRACE ID 83241

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07444

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07444

RECEIVED

JAN 20 1998

Department of Water Resources

Date of Priority: May 7, 1987

Maximum Diversion Rate: 20.00 CFS
Maximum Diversion Volume: 14454.0 AF

Comes now

GEORGE C KIMBALL
BEVERLY KIMBALL

PO BOX 121
GRACE ID 83241

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 13-07444, and requests that the permit be changed as follows:

Source: SPRINGS

tributary to BEAR RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

FISH PROPAGATION

01/01 to 12/31

20.00 CFS

14454.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENESE , Sec. 17, Township 10S, Range 40E
SWNESE , Sec. 17, Township 10S, Range 40E
NESWSE , Sec. 17, Township 10S, Range 40E
NWSESE , Sec. 17, Township 10S, Range 40E
CARIBOU County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

10S 40E 17

NESE

SWSE

SESE

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

Signed at Grace, this 12 day of Jan, 19 98.


(Signature)

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07444

FOR DEPARTMENT USE ONLY

Preliminary check by SVK Fee = 5000 Received by JS # 0041214 Date 1/20/98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 13-07444 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8. The right holder shall provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
9. Use of water under this right shall be non-consumptive.

PAGE 3

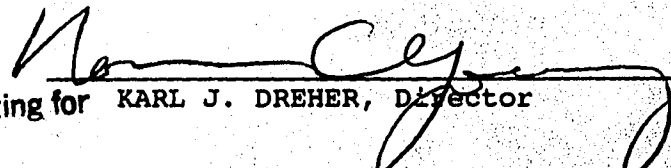
State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07444

CONDITIONS OF APPROVAL AND REMARKS

10. Measuring devices of a type approved by the Department shall be permanently maintained at the points of diversion and the point of effluent discharge.
11. There are numerous springs located in each of the ten acre tracts listed above as points of diversion.
12. Facility volume = 27,734 cubic feet.
13. The right holder shall implement reasonable modifications to the diversion and conveyance facilities in order to more effectively conserve and control water diverted under this right.

Witness my hand this 17TH day of FEBRUARY, 1978.


Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07444

Priority: May 7, 1987

Maximum Diversion Rate: 20.00 CFS
Maximum Diversion Volume: 14454.0 AF

This is to certify, that GEORGE C KIMBALL
BEVERLY KIMBALL

PO BOX 121
GRACE ID 83241

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 7, 1987; and
has submitted Proof of Beneficial Use on March 15, 1993. An examination indicates
that the works have a diversion capacity of 23.300 cfs of water from:

SPRINGS tributary to BEAR RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	20.00 CFS	14454.0 AF

LOCATION OF POINT(S) OF DIVERSION:
NENESE , Sec. 17, Township 10S, Range 40E
SWNESE , Sec. 17, Township 10S, Range 40E
NESWSE , Sec. 17, Township 10S, Range 40E
NWSESE , Sec. 17, Township 10S, Range 40E
CARIBOU County

PLACE OF USE: FISH PROPAGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
10S	40E	17
	NESE	
	SWSE	
	SESE	

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.

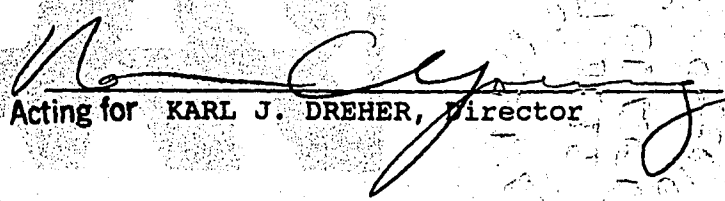
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 13-07444

CONDITIONS OF APPROVAL AND REMARKS

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8. The right holder shall provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
9. Use of water under this right shall be non-consumptive.
10. Measuring devices of a type approved by the Department shall be permanently maintained at the points of diversion and the point of effluent discharge.
11. There are numerous springs located in each of the ten acre tracts listed above as points of diversion.
12. Facility volume = 27,734 cubic feet.
13. The right holder shall implement reasonable modifications to the diversion and conveyance facilities in order to more effectively conserve and control water diverted under this right.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

JAN 22 1996 Permit No. 13-7444

1. Owner: GEORGE C. KIMBALL Department of Water Resources Phone No. (208) 425-3239

Current Address: 1681 BLACK CANYON LANE, GRACE, ID 83241

2. Accompanied by: OWNER EXAM DATE: 7/17/95

Address: N/A Phone No. N/A

Relationship to Permit Holder: N/A

3. Source: SPRINGS tributary to BEAR RIVER

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: POSSIBLE

1. Point(s) of Diversion:

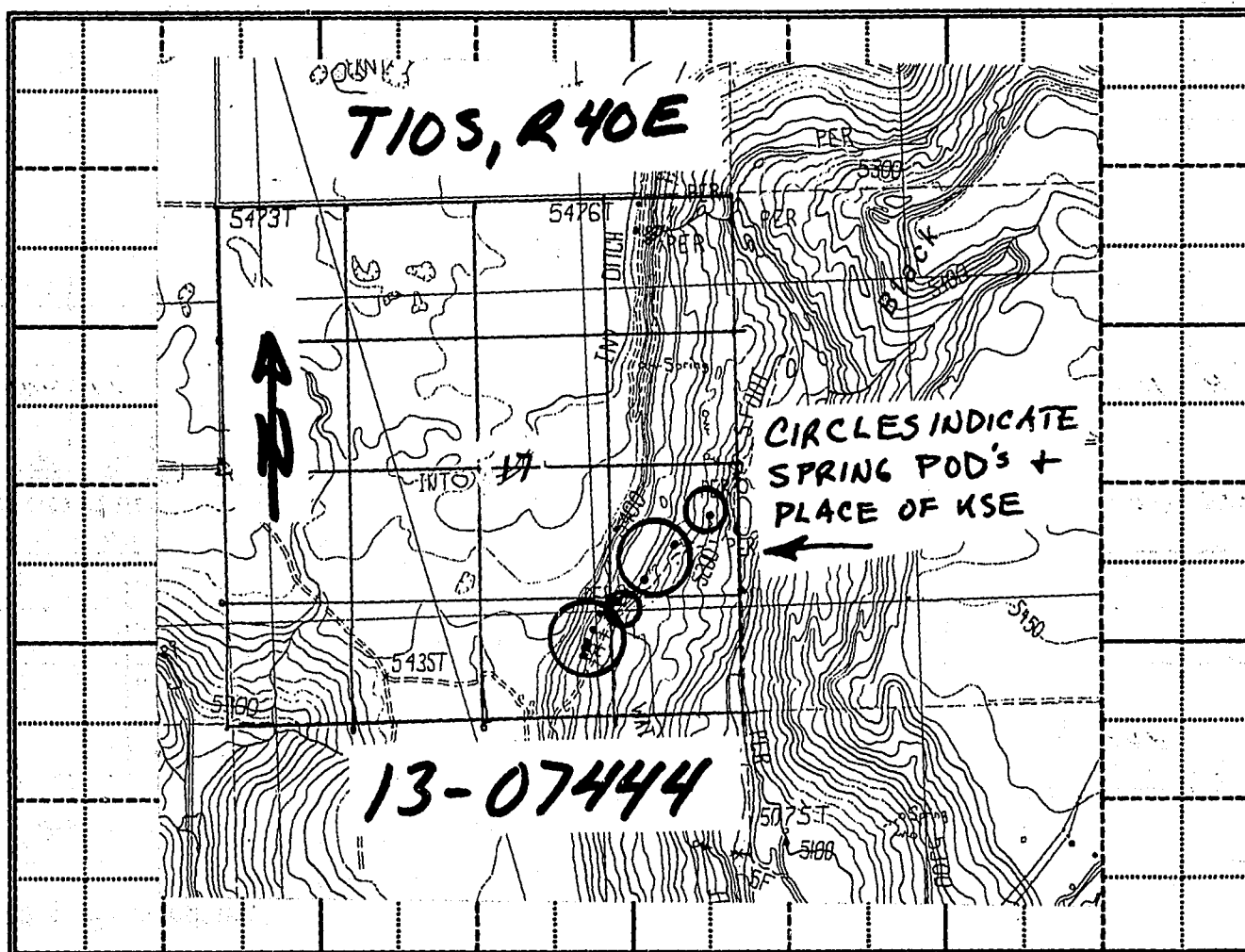
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	SE	17	10s	40E	CARIBOU	U.S. G.S. TOPO MAP
		NW	SE	SE	17	10s	40E		
		NE	NE	SE	17	10s	40E		
		SW	NE	SE	17	10s	40E		

2. Place(s) of Use:

Indicate Method of Determination *ON SITE INSP.*

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached
PARTIAL

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: TYME-FLYTE, POLYSONIC METER # 7110263

PY6HY METER # 090171

AA METER # 090127

E. NARRATIVE/REMARKS/COMMENTS

See attached Page

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

POINTS 4A - 12 $Q = 23.3 \text{ CFS}$ Q LIMITED BY PERMIT TO 20 CFS**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$

2. Volume Calculations for Other Uses:

SYSTEM CUBIC FOOT CAPACITY (NOT INCLUDING PIPING)

$$\frac{27,734 \text{ cu. ft.}}{43,560 \text{ cu ft/af}} = 0.6 \text{ afa}$$
H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
FISH PROPAGATION	1/1	12/31	20.0	0.6 af
Totals:			20.0 cfs	0.6 af

2. Recommended Amendments

☒ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name SIMPkins Date 1/12/96Reviewer [Signature] Date 1-16-96

SEAL

E. NARRATIVE

ON 7/17/95 A BENEFICIAL USE FIELD EXAM WAS CONDUCTED WITH GEORGE C. KIMBALL ON PERMIT # 13-07444, FOR FISH PROPAGATION.

WATER FROM THIS SYSTEM IS TAKEN FROM NUMEROUS SPRINGS WHICH SURFACE ALONG A BASALT BLUFF, USED IN THE PROCESS OF FISH PROPAGATION AND RETURNED TO THE BEAR RIVER (NON-CONSUMPTIVE). THE ENTIRE AREA IS MADE UP OF UNCONSOLIDATED FRACTURED BASALT, SOME AREAS OVERLAYED WITH GRAVELS AND SOIL.

THE SYSTEM CONSISTS OF:

UPPER RACEWAYS -- 6 TANKS -- $52.5' \times 8' \times 2.5' = 5,250$ CUFT

MIDDLE RACEWAYS -- 10 TANKS -- $80' \times 6' \times 2.5' = 12,000$ CUFT

CIRCULAR -- 6 TANKS -- $20' \times 2.5' = 4,712$ CUFT

CIRCULAR -- 3 TANKS -- $30' \times 2.5' = 5,301$ CUFT

CIRCULAR -- 4 TANKS -- $10' \times 1.5' = 471$ CUFT

VARIOUS PIPING SYSTEMS MOVE WATER THROUGH OUT THE SYSTEM BETWEEN TANKS AND RACEWAYS. MOST WATER IS DISCHARGED INTO THE ONE (1) ACRE POND (THREE FEET DEEP ON AVERAGE) THAT IS LOCATED AT THE BOTTOM OF THE SYSTEM AND ABOVE THE BEAR RIVER. CONSIDERABLE WATER IS LOST IN COLLECTION CHANNELS AND STREAM CHANNELS DUE TO NATURAL FRACTURES THROUGH OUT THE AREA, THEREFORE DOES NOT SHOW IN THE PONDS DISCHARGE RATE (SEE VOLUME CALCULATIONS SHEET).

13-07444

2.667 IN U
 ZERO MODE
 CLEAR
 MODE SELECT
 INPUT
 OUTER DIAMETER
 4.5001 IN
 PIPE MATERIAL
 ? PUC
 WALL THICKNESS
 0.1320 IN
 INNER LINING
 ? NO LING.
 KIND OF FLUID
 ? WATER
 SENSOR MOUNTING
 ? U
 TYPE OF SENSOR
 ? SMALL
 DATA CHANGE
 ? NO
 SPACING
 2.648 IN U
 11-02 14:1600 *H
 +003.10 % AI2
 MODE SELECT
 TO CHECK
 0159.1 MMSEC
 100.53 % TO
 11-02 14:1900 *H
 +003.10 % AI2
 ZERO MODE
 CLEAR
 ZERO MODE
 SET ZERO
 ZERO MODE
 ZERO OPR
 11-02 14:2100 *R
 + 1.896E 26PM
 11-02 14:2200 *R
 + 5.798E 26PM
 11-02 14:2200 *R
 + 5.860E 26PM

#12
 13-07444

MODE SELECT
 TO CHECK
 0298.1 MMSEC
 100.49 % TO
 OUTER DIAMETER
 8.1500 IN
 PIPE MATERIAL
 ? PUC
 WALL THICKNESS
 0.1709 IN
 INNER LINING
 ? NO LING.
 KIND OF FLUID
 ? ANOTHER
 SOUND VELOCITY
 1450 M/S-
 SENSOR MOUNTING
 ? U
 TYPE OF SENSOR
 ? SMALL
 DATA CHANGE
 ? NO
 SPACING
 5.640 IN U
 11-01 16:0600 *H
 +002.20 % AI2
 ZERO MODE
 CLEAR
 ZERO MODE
 AUT ZERO
 ZERO MODE
 ZERO OPR
 11-01 16:0700 *R
 +473.396E 06PM

13-07444
 (#11)

13-07444 #8
 MODE SELECT
 INPUT
 OUTER DIAMETER
 3.4900 IN
 PIPE MATERIAL
 ? PUC
 WALL THICKNESS
 0.1640 IN
 INNER LINING
 ? NO LING.
 KIND OF FLUID
 ? WATER
 SENSOR MOUNTING
 ? U
 TYPE OF SENSOR
 ? SMALL
 DATA CHANGE
 ? NO
 SPACING
 1.788 IN U
 ZERO MODE
 CLEAR
 MODE SELECT
 TO CHECK
 0118.9 MMSEC
 100.65 % TO
 11-02 14:4000 *H
 +003.00 % AI2
 ZERO MODE
 CLEAR
 ZERO MODE
 SET ZERO
 ZERO MODE
 ZERO OPR
 11-02 14:4300 *R
 + 1.056E 26PM
 11-02 14:4400 *R
 + 1.114E 26PM

MODE SELECT
 INPUT 13-07444
 OUTER DIAMETER
 8.1500 IN
 OUTER DIAMETER
 3.4902 IN
 PIPE MATERIAL
 ? PUC
 OUTER DIAMETER
 8.1500 IN
 PIPE MATERIAL
 ? PUC
 WALL THICKNESS
 0.1710 IN
 INNER LINING
 ? NO LING.
 KIND OF FLUID
 ? WATER
 SENSOR MOUNTING
 ? U
 TYPE OF SENSOR
 ? SMALL
 DATA CHANGE
 ? NO
 SPACING
 5.801 IN U
 ZERO MODE
 CLEAR
 MODE SELECT
 TO CHECK
 0292.2 MMSEC
 100.17 % TO
 11-02 14:5100 *H
 +003.10 % AI2
 ZERO MODE
 AUT ZERO
 ZERO MODE
 ZERO OPR
 11-02 14:5200 *R
 +651.184E 06PM

#7

Inflow Measurements

13-07444

13-07444

VOLUME CALCULATIONS

UPPER
RACEWAY
6 TANKS $52.5' \times 8' \times 2.5'$
 $1,050 \text{ cu ft} \times 6 \text{ TANKS} = 5,250 \times 7.4805 = 39,272.625 \text{ cfs}$
OF

MIDDLE
RACEWAY
10 TANKS $80' \times 6' \times 2.5'$
 $= 1,200 \times 10 = 12,000 \text{ cu ft} \times 7.4805 = 89,766 \text{ gals.}$

CIRCULAR
TANKS ⑥ $20' \times 2\frac{1}{2}' = 4,712.4 \times 7.4805 = 35,251.108 \text{ cfs}$
 $= 785.4 \times 6$

CIRCULAR
TANKS ③ $30' \times 2\frac{1}{2}' = 5,301.45 \times 7.4805 = 39,657.497 \text{ cfs}$
 $1,767.15 \times 3$

CIRCULAR
TANKS ④ $10' \times 18" = 471.24 \times 7.4805 = 3,525.1108$
 117.81×4
27,734 cu ft
207,472.34 cfs

POOD
1 ACRE $3' \text{ DEEP} \times 325,850 = 977,550 \text{ gals}$
(NATURAL POOD) NOT COUNTED
DISCHARGE ① $36" \times .36"$
② $36" \times 1.1"$

* BASED ON ATTACHED MAP
MEASUREMENT POINTS
TESTS ON 11/2/95

4A	0.116	CFS	BUCKET + WATCH	
4B	0.178	"	" "	
7	1.45	"	POLYSONIC	651.148 E - 06 PM
8	0.248	"	" "	1.114 E - 26 PM
9	2.87	"	AA METER	
10	16.04	"	AA METER	
11	1.05	"	POLYSONIC	473.396 E - 06 PM
12	1.30	"	" "	5.860 E - 26 PM

23.3 CFS

TESTS ON 7/17/95

OTHER POINTS OF MEASUREMENTS

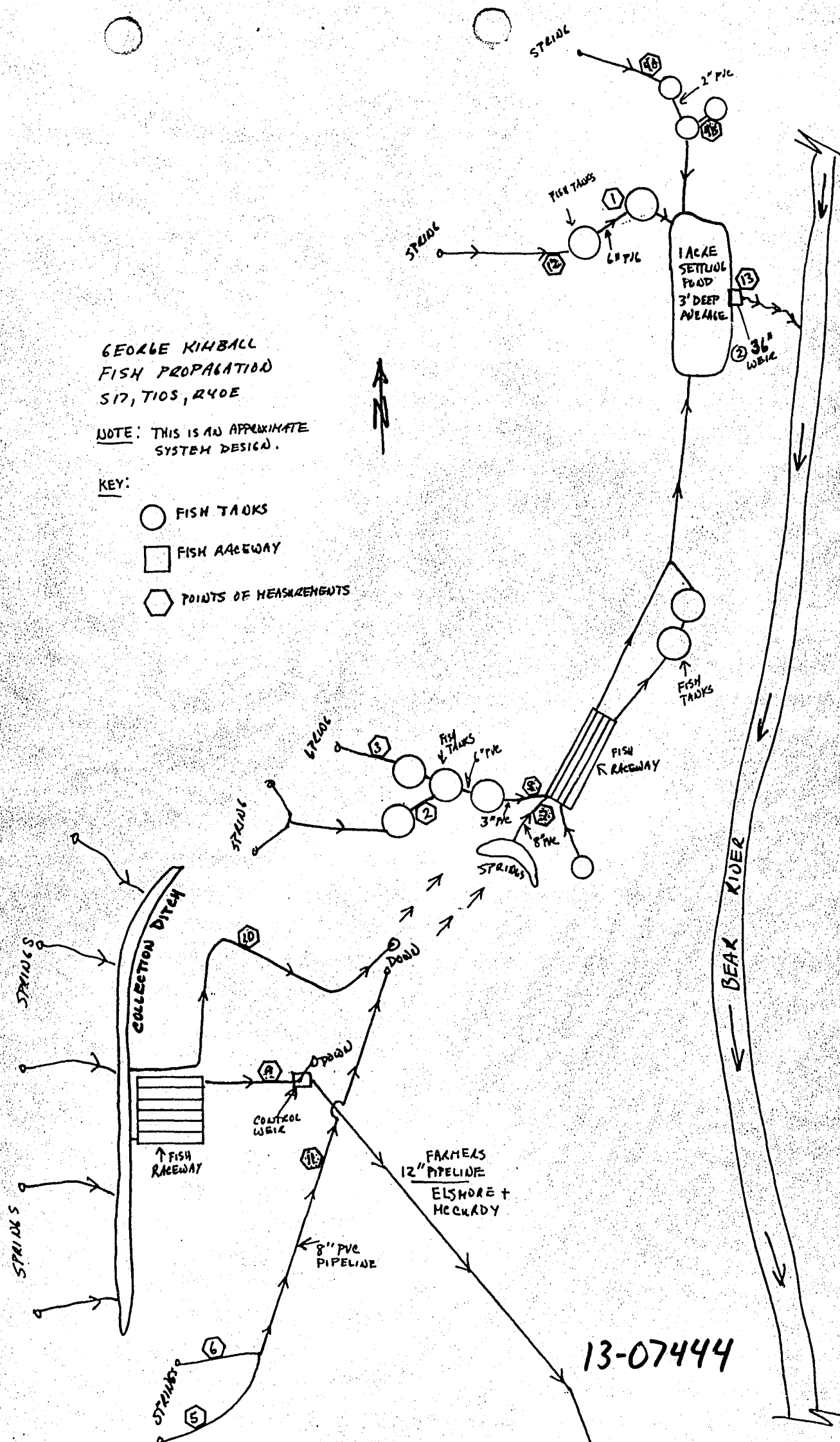
1	0.53 CFS	} NOT USED DUE TO OVERLAP OF OTHER POINTS OF MEASUREMENT TAKEN ON 11/2/95
2	0.54 CFS	
3	0.756 CFS	
5	0.25 CFS	
6	0.539 CFS	
13	13.01 CFS	DISCHARGE

GEORGE KIMBALL
FISH PROPAGATION
SITING, 1940E

NOTE: THIS IS AN APPROXIMATE
SYSTEM DESIGN.

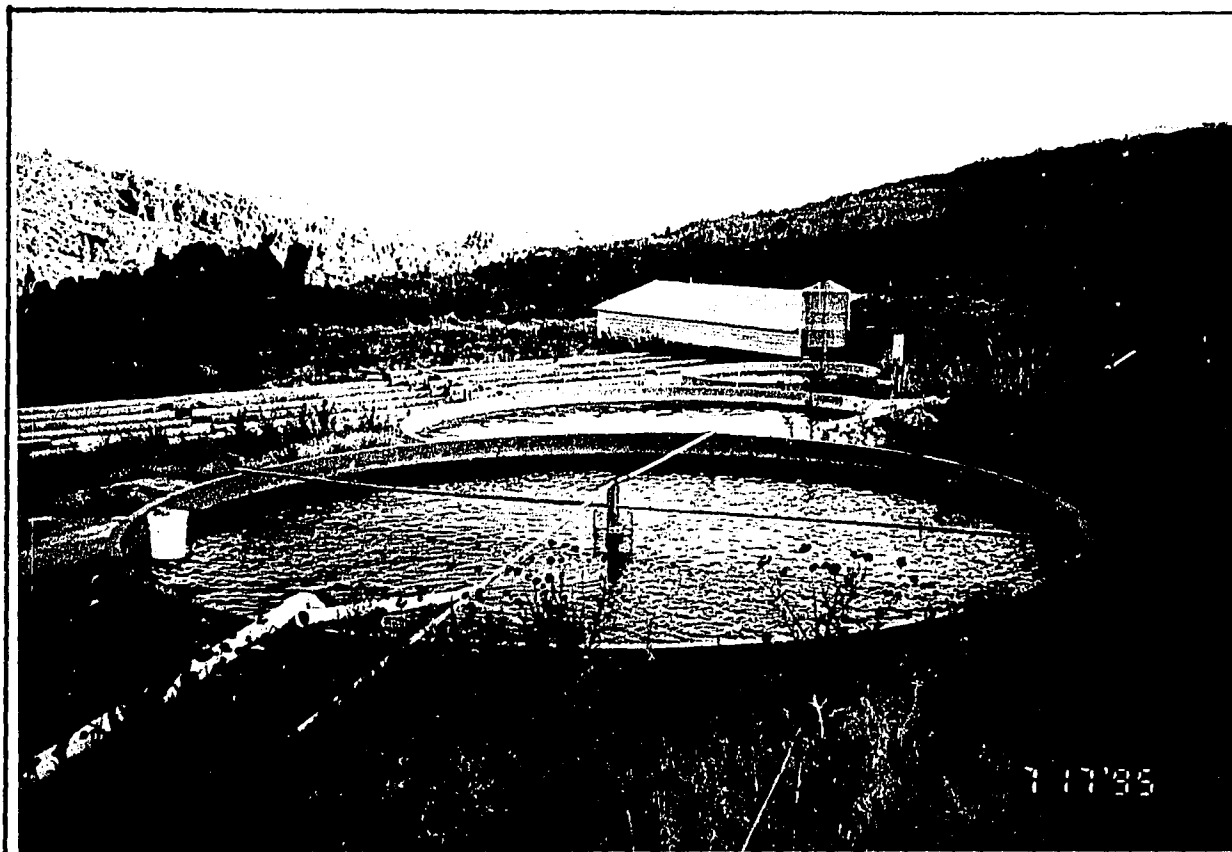
KEY:

- FISH TANKS
- FISH RACEWAY
- ⬡ POINTS OF MEASUREMENTS



FISH PROPAGATION

4 of 5



VIEW OF
MIDDLE FISH
RACEWAY
HOLDINGS
TANKS

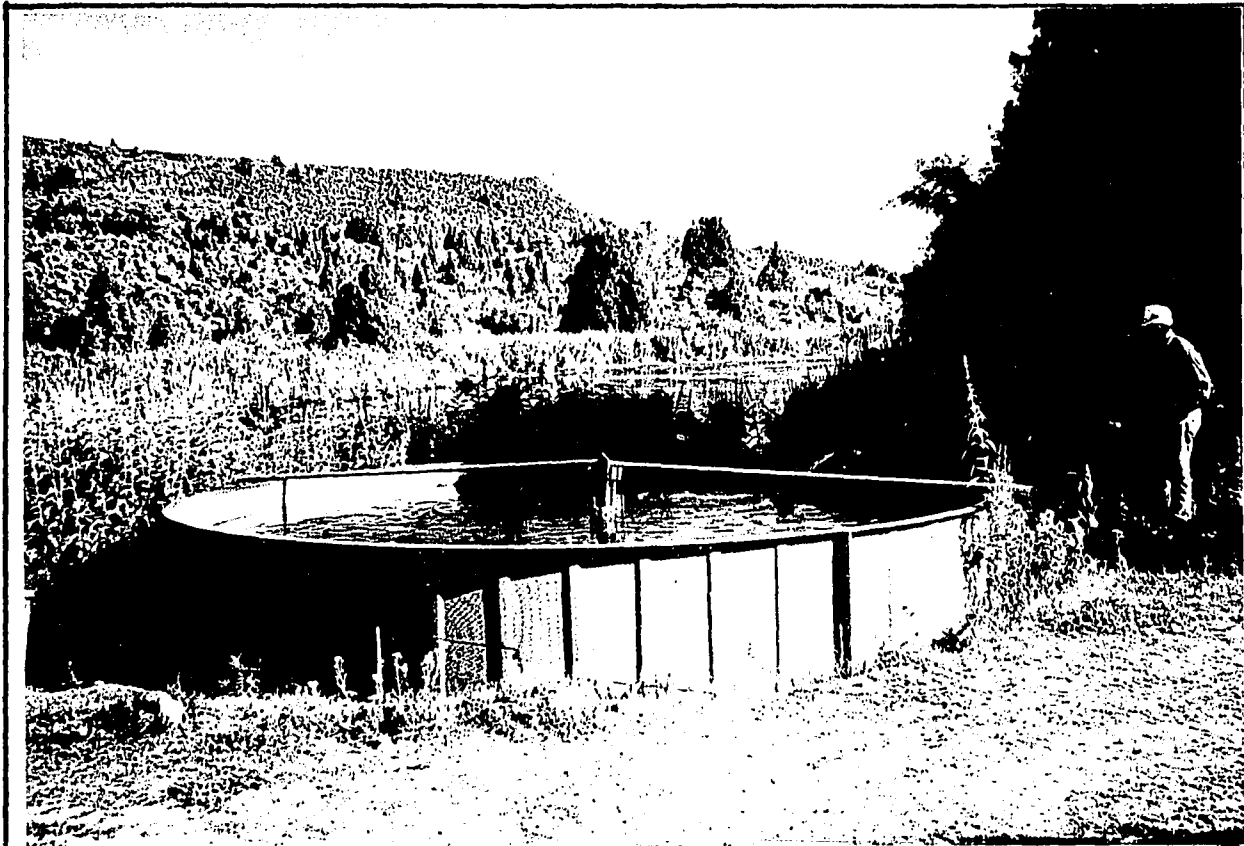


VIEW OF
MAIN SPRING
SOURCE

13-07444

FISH PROPAGATION

5 of 5



LOWER
HOLDING TANK
#1



VIEW OF
SETTLING
POND POINT
OF DISCHARGE
BACK TO RIVER.

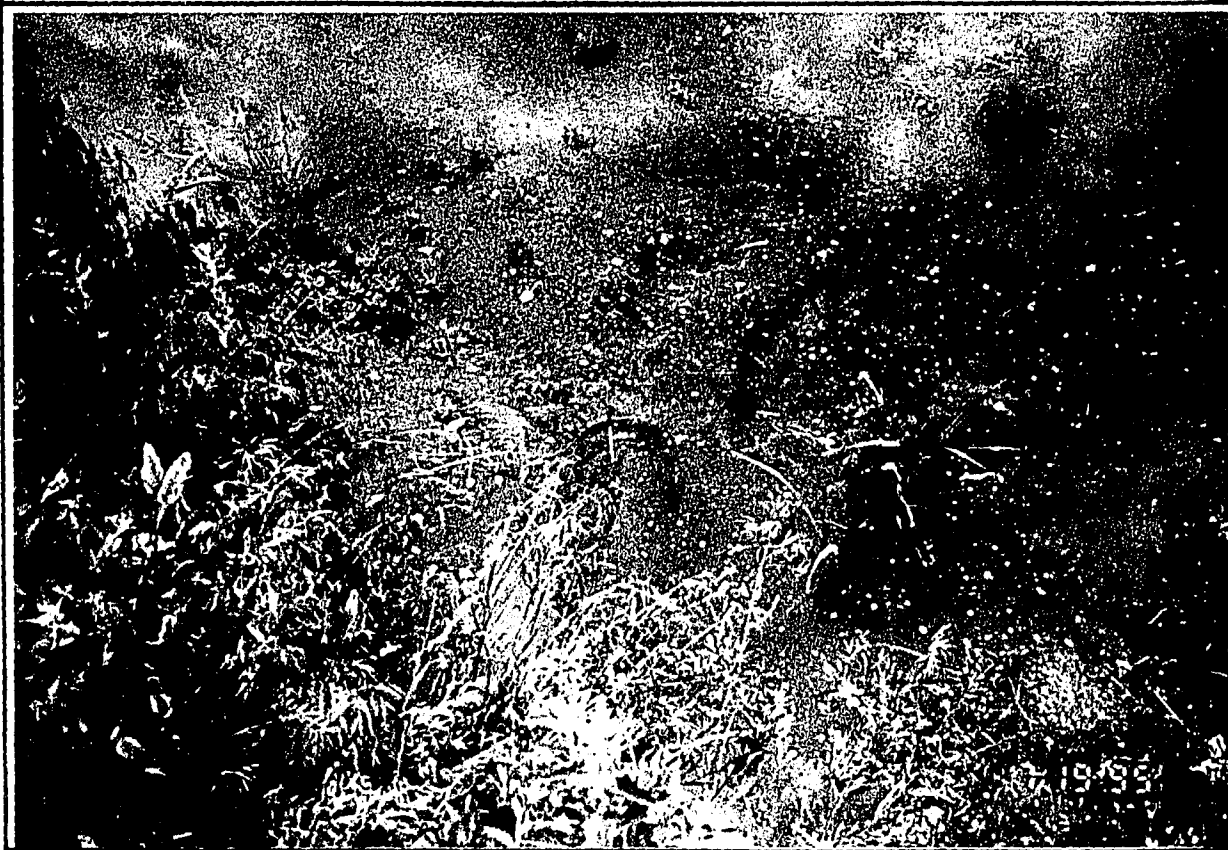
13-07444

FISH PROPAGATION

20/5



POINT OF
DIVERSION
MEASUREMENT
POINT.

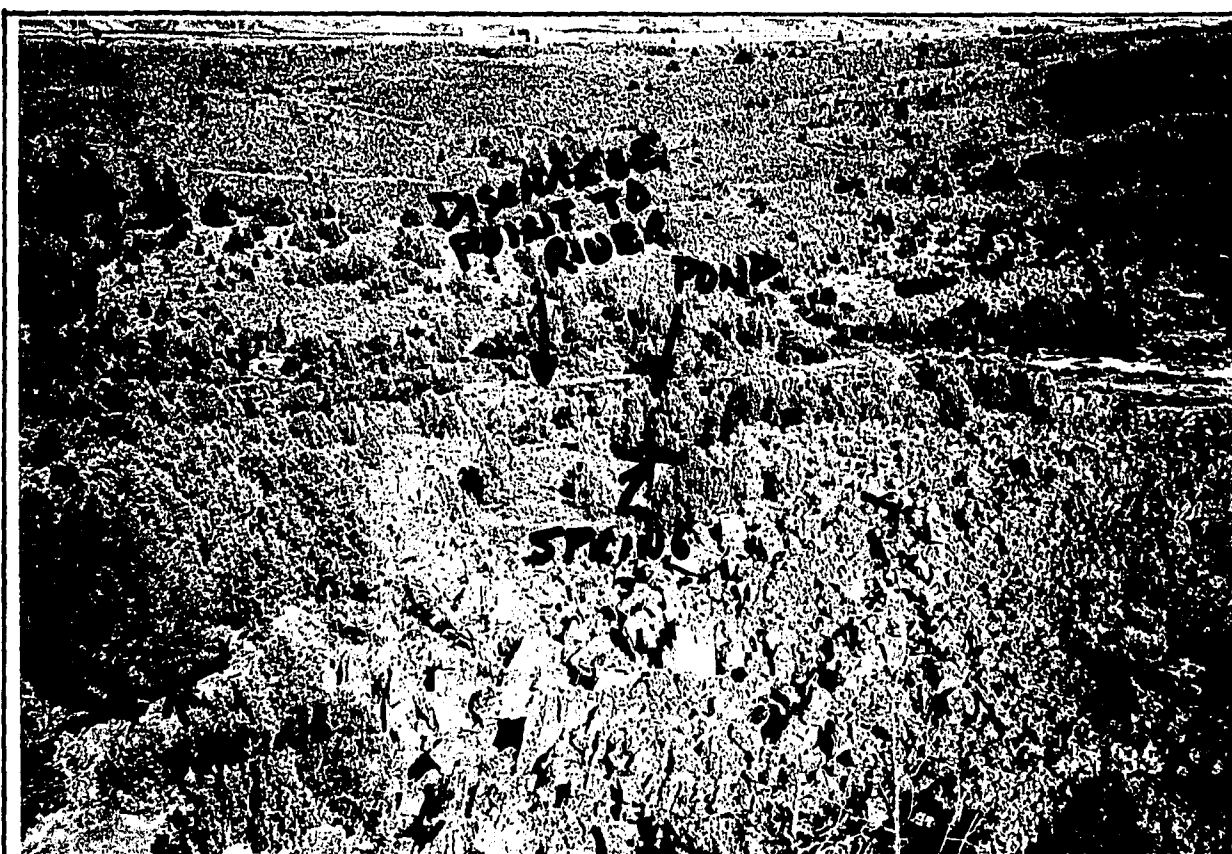


POINT OF
DIVERSION

13-07444

GEORGE C. KIMBALL
FISH PROPAGATION

1 of 5



OVERVIEW
OF PLACE
OF USE
SPRING ARE
LOCATED
AT VARIOUS
POINTS ALONG
BASE OF
LAVA
NORTH PORTION

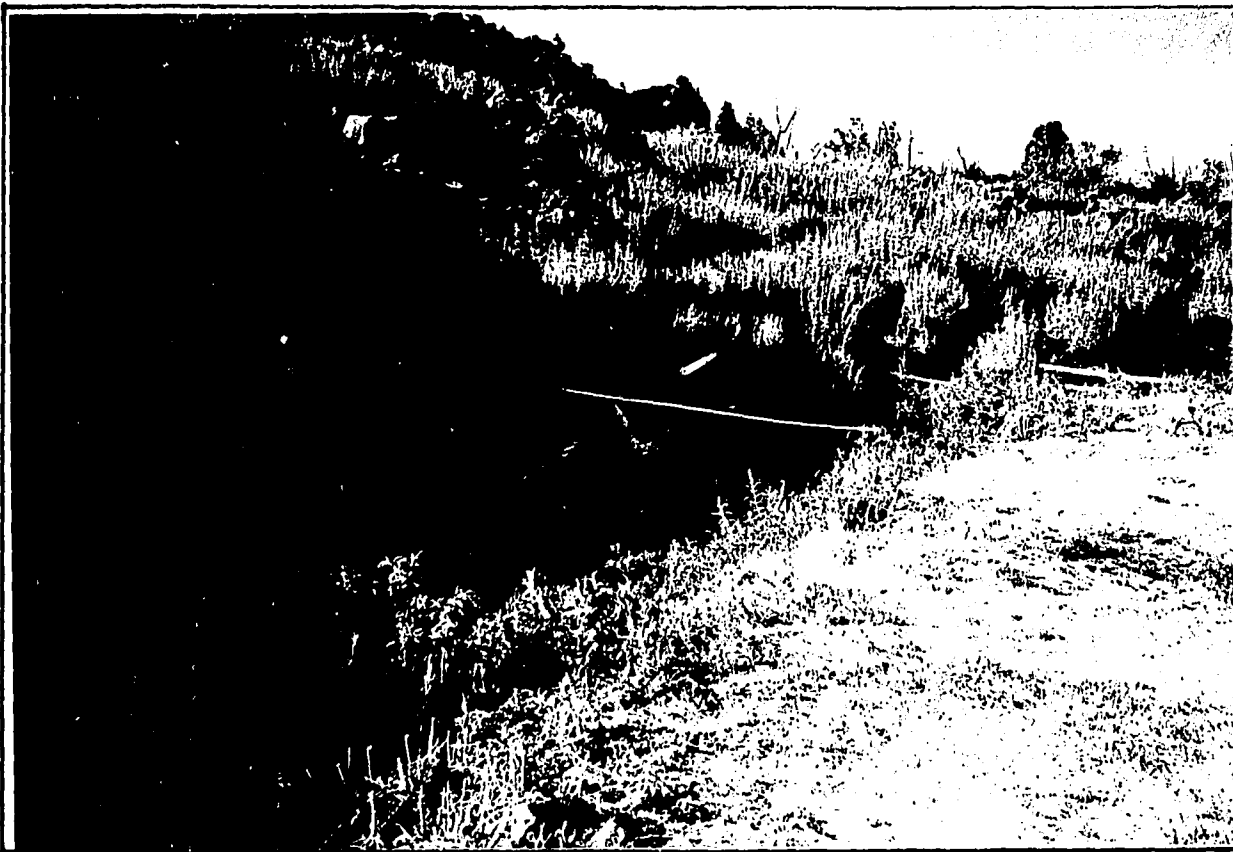


OVERVIEW
OF SOUTHERN
PORTION OF
PLACE OF USE

13-07444

FISH PROPAGATION

3-15



LARGE SPRING
SOURCE

FEEDS UPPER
AND MIDDLE
FISH RACEWAYS



POINT OF
MEASUREMENT
FLOW FROM
TOP RACEWAY

13-07444

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***

MEMORANDUM

TO: File 13-07444

FROM: Sharla

DATE: October 29, 1997

**RE: Annual Volume for Fish Propagation Use/Telecon with Right Holder Concerning
Number of P/D's**

Per a memo dated 1/15/88, volume is calculated this way:

1. Calculate changes per hour:
total flow into facility x 3600/facility volume(cf) = changes

2. Calculate annual volume:
facility volume(AF) x changes x 8760 = AFA

3. Calculate volume given by permitted flow:
flow rate(cfs) x 1.98 x 365 days = AFA

4. Recommend lower figure

1. 20.0 cfs x 3600/ 27,734 cf = 2.596

2. .6367 AF x 2.596 x 8760 = 14,479.2 AFA

3. 20.0 cfs x 1.98 x 365 days = 14,454.0 AFA

RECOMMENDATION: 14,454.0 AFA

On October 27, Mr. Kimball called in regards to the status of this right. I told him it was being reviewed for licensing and I took the opportunity to ask him about the number of springs located per 1/4. He said there are numerous springs in each 1/4, really too numerous to count or to try to describe. A remark will be added explaining the "numerous" springs.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 2, 1998

Pete Peterson
2483 Riverdale Rd.
Preston, ID 83263

RE: Water Right 13-07444

Dear Mr. Peterson,

We are in the process of reviewing permit number 13-07444 for licensing. I have enclosed a profile report describing this permit. During the field examination in January of 1996, our examiner found no measuring device installed. One of the conditions of this permit required that a permanent measuring device be installed. Do you know if the right holder has installed a measuring device?

Is a measuring device necessary for regulation of this right? If so, we will hold licensing the right until the condition is complied with and will retain the condition when the license is issued. If it is not necessary, we will simply remove the condition.

I appreciate your input in this matter. Please contact me within 15 days so we can proceed with our review. If you have any additional questions, please feel free to contact me at (208) 327-5452.

Sincerely;

Sharla Curtis
Water Resource Agent

SC:cb
Enclosure

MEMORANDUM

TO: File 13-07444

FROM: Sharla

DATE: January 6, 1998

RE: Telecon

On this date, Pete Peterson called in response to my letter requesting information on a measuring device(s) for this fish propagation facility. Pete told me that Mr. Kimball does have a measuring device; it is sufficient and his controlling works are probably the best of anyone else's fish facilities in the area. I told him we would retain the measuring device condition on the license.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE C KIMBALL
BEVERLY KIMBALL
PO BOX 121
GRACE ID 83241

RE: WATER RIGHT NO. 13-07444

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE C KIMBALL
BEVERLY KIMBALL
PO BOX 121
GRACE ID 83241

RE: WATER RIGHT NO. 13-07444

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

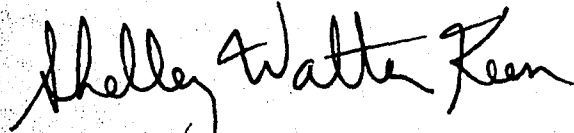
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

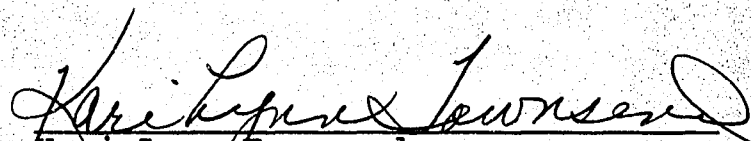
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 13-07444

GEORGE C KIMBALL
BEVERLY KIMBALL
PO BOX 121
GRACE ID 83241


Kari Lynn Townsend
Secretary