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The Times-News

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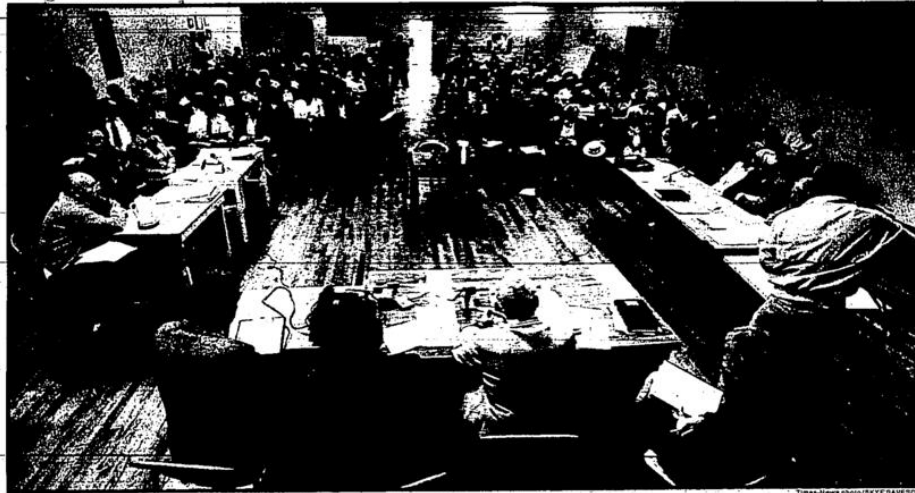
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82nd year, No. 149

Twin Falls, Idaho

Friday, May 29, 1987

Trout firm postpones water right requests



A large crowd of concerned citizens gathered at the Gooding Grange Hall for this morning's hearing. A larger crowd attended the evening hearing.

Public favors minimum flow at Niagara Springs

By MARK PRATTER
Times-News writer

GOODING — Public comment was overwhelmingly in favor of a minimum stream flow at Niagara Springs during a state Department of Water Resources hearing here Thursday night.

"I strongly urge that not one additional gallon of water be diverted from Niagara Springs," said Robert S. Luntley, a fish farmer north of Boise.

He said he supported the application by the state Parks and Recreation Department for a minimum flow of 282 cubic feet per second from the springs to a point to be determined by DWR.

Luntley said "developments have stripped away all or massively affected what were once beautiful natural water resources and at present there is almost nothing left in its natural state."

Rim View Trout Co., owned by Earl Hardy of Boise, has filed for 282 cfs of diversions at the springs south of Wendell. Rim View is already entitled to 140 cfs at the springs.

The Rim View filings were not at issue at Thursday night's hearing at the Gooding Grange Hall but will be brought up at a later date to be determined by DWR. Niagara has a historic flow of 260 cfs, a figure which Hardy disputes. If the Rim View filings were approved, the creek below the springs would receive 50 cfs, an amount some Wendell residents

judge inadequate to preserve the beauty of the creek.

State Sen. Laird Nab, R-Kimberly, and Rep. Ron Black, R-Twin Falls, both testified in support of the Parks and Recreation application at Niagara.

Nab said the public interest has shifted strongly in favor of protecting natural free flowing water and water quality for public recreation uses.

Nab urged DWR to protect the local public interest from the headwaters of the springs to Pajaro Park which is adjacent to a fish farm operated by Rim View and an Idaho Power Co. beetled hatchery.

"Failure to do so would seriously shock public expectation," he said.

The grange hall was packed with more than 100 people. More than 70 people attended in the morning and afternoon.

Bill Chisholm of DWR urged DWR to allow no additional waters to be diverted for commercial use.

"Too often we see public interest take back seat to some rich developer who takes money out of the area and doesn't live there," Chisholm said.

Larry Anderson of Eden, father of the state senator, said last year he took 1,200 people staying at his campground on scenic tours of the area and one of the stops was Niagara Springs. He said these tours have received international publicity and maintaining a quality

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Action before hearing angers protest leader

By MARK PRATTER
Times-News writer

GOODING — Rim View Trout Co. postponed its water rights requests at Niagara Springs on technical grounds Thursday, angering protester Bob Burks.

He said many of the 70 people in the audience at a Department of Water Resources hearing here came out to support his opposition to the filings.

State Department of Water Resources Director A. Kenneth Dunn overruled Burks' objections to the withdrawal and agreed to Rim View owner Earl Hardy's request for a postponement. Rim View wants 28.3 cubic feet per second at Niagara Springs.

"I worked my butt off trying to get people aroused. If this is continued, I lose some of my clout. I don't think it is fair to the public to allow them to extend," said Burks, a former dairy farmer from Wendell.

William Ringert, Hardy's attorney, said during a recess at the Gooding Grange hearing that the reason for the postponement was technical.

"We're withdrawing from consideration today because DWR indicated once it (the filings) go into the permit state, they can't be restored to appeal status."

Ringert, a state senator from Boise, who wants to come up with a way of making the filings which will keep the rights of appeal and protest intact no matter how Dunn rules.

"Dunn indicated to us this morning that he was not treating this the way we thought," said Ringert.

Asked if the reason for postponing the filings was to wait for public opposition to die down, Ringert said the opposition will be there whether the matter is heard now or later. He reiterated that a reason for the postponement was to preserve Rim View's protest rights.

The postponement was a temporary retreat in a chess game involving Hardy, Burks and Idaho Power Co.

The stakes as Burks sees them are the preservation of Niagara Springs, a series of water flows that tumble

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Administration postpones plan to protect Kuwait tankers

The Associated Press

WASHINGTON — With congressional alarm rising, the Reagan administration has put off for several weeks its plan to extend American military protection to Kuwaiti oil tankers in the Persian Gulf, Pentagon officials and a key senator said Thursday.

The plan had raised concerns in Congress that it could draw the United States into the Iran-Iraq war. To dampen these concerns, the administration sent Defense Secretary Caspar W. Weinberger an national security

No aid from NATO — A10

adviser Frank Carlucci to Capitol Hill for a closed briefing with key figures.

Iran's ambassador to the United States, Said Hajjale-Khanssani, in a television interview, said the United States is "looking for trouble" by stepping up its military presence in the gulf.

Secretary of State George P. Shultz, talking to reporters in his office Thursday evening, said the "United States has no intention and will not get directly involved in the Iran-Iraq war. We will not go to war with either party."

At the same time, Shultz said, "If our ships get attacked anywhere, we will defend ourselves — that's not going to war with anybody."

After hearing from Weinberger and Carlucci, the chairman of the Senate Armed Forces Committee, Sen. Sam Nunn, D-Ga., said, "I have mixed feelings about whether

hostilities are imminent. Certainly there are possible, certainly we're talking on a new mission in the area."

Nunn also confirmed that the move to protect Kuwaiti tankers had been delayed.

Congressional leaders laid plans to pass a measure next week requiring a detailed report from the administration about its future policy and military moves in the Persian Gulf, through which passes much of the West's oil supply.

Initially, White House and Pentagon officials said the plan to put American cap-

tains and the American flag on Kuwaiti ships and to protect them with American forces would be put into effect within a week or two. They said the May 17 Iraqi attack on the USS Stark, which killed 37 American sailors, would have no impact on the decision.

Pentagon officials, speaking on condition they not be identified, said reregulating the Kuwaiti vessels — largely a paperwork process — was continuing but the U.S. flag would not fly over those ships until the Navy

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Senate delays penalties for employers of aliens

Los Angeles Times

WASHINGTON — The Senate voted for the second time in a week Thursday to delay until Oct. 1 sanctions against employers who knowingly hire illegal aliens under the new federal immigration law.

The provision for the delay, approved by a 47-43 vote, is attached to a \$2.4 billion stopgap spending bill, which could pass Friday. Thursday's vote was requested by opponents of the delay, led by Sen. Alan K. Simpson, R-Wyo., who tried to muster more support for their side since last week's 48-45 vote on the same issue.

The Senate provision is expected to face strong opposition from the House, which has passed its own version of the spending bill with no sanctions delay attached. The disparity between the two bills will have to be worked out in a House-Senate conference committee.

Sponsors were lobbied heavily for the delay by a coalition of civil rights groups and business organizations, who argued that beginning the sanctions program June 1, as scheduled, would cause "chaos" because of delays in the Immigration and Naturalization Service's public information program.

The INS had planned to mail millions of

brochures explaining the new law this month, but officials now concede that the material will not be ready to mail until mid-June at the earliest. Last week, on the same day of the first Senate vote, the INS agreed to a one-month delay of sanctions.

During Senate debate, however, supporters of the four-month delay argued that the INS post-ponement was not enough. "I want this program to work," Sen. Barbara Mikulski, D-Md., said, adding that the INS public information program offered "bureaucratic bumbling, centennial chaos and excessive indifference of action."

After Rodriguez completed his testimony, one of the legislators pushing the affair referred to the managers North recruited for the supply network as "hiring agencies," adding to the debate over whether those aiding the rebels were subcontractors.

Also Thursday, the committee voted to conduct a closed-door session on Friday with Joe Fernandez, the former CIA station chief in Costa Rica who was known as Tomas Castillo. Fernandez led the agency after being disciplined for helping

Falwell says it's time to end 'soap opera'

The Associated Press

FORT MILL, S.C. — The Rev. Jerry Falwell said Thursday that it was time to halt the bickering that has made the PTL ministry sound like a "soap opera" and to concentrate on saving the ministry, in debt \$70 million.

Compared with news coverage of the PTL problems, "the Iran-Contra situation is almost lost on back page," Falwell said Thursday.

"I have an idea that Oliver North and President Reagan might be a little happy about these terrible headlines and these awful news stories about the situation here," Falwell said.

On Thursday, the story was the exchange of bars between Falwell and disgraced evangelist Jim Bakker who in March turned the \$18,000-member ministry over to Falwell and admitted a sexual encounter in 1984 with a church secretary from New York.

The Assemblies of God stripped Bakker of his pastorate, citing allegations of sexual misconduct including claims that Bakker had engaged in homosexual activity. Allegations Bakker repeatedly denied.

Falwell on Wednesday said he had talked face-to-face with men who said Bakker had made advances toward them.

"Obviously, I would not have said what I said yesterday without incontrovertible evidence," including taped and sworn statements, Falwell said Thursday on "Good Morning America."

Along with the sex scandal, a financial crisis materialized soon after Bakker's departure. Falwell said Thursday that PTL was \$70 million in debt but that he had raised more than \$2.5 million of it the \$7 million he needed to pay \$10 million due June 1.

Bakker said Wednesday that

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Ex-envoy quotes North orders to aid Contras

The Associated Press

WASHINGTON — Former U.S. Ambassador Lewis A. Tamba testified Thursday that in 1985, while U.S. aid to Nicaraguan Contra rebels was banned, White House aide Oliver L. North ordered him to use his post in Costa Rica to help the rebels open a military front in Nicaragua.

"Mr. North was working for the National Security Council and obviously my assumption was that any instruction he gave me came from the White House," Tamba said in

responding to a question at the Iran-Contra hearings about why he followed orders from the Marine lieutenant colonel.

Tamba also said he was asked by North to help private efforts to rescue the Contras.

Earlier in the day, former CIA operative Felix I. Rodriguez told the House-Senate hearings that he broke with the clandestine resupply operation for the rebels — run by North — after becoming disgusted with overcharges, bribery and deliveries of unreliable ammunition.

the Contra support effort during the congressional ban.

Tamba, who was ambassador to Costa Rica from 1985 until last January and is now a history professor at Arizona State University, gave the committee the first direct evidence of a State Department official helping the rebels during the two-year congressional ban on U.S. military aid to the Contras.

He said he did not question the legality of his instructions, which came from a small, interagency

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