

T3225 BOY SCOUTS OF AMERICA

CHANGE IN NATURE OF USE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use
BOY SCOUTS OF AMERICA

Name of applicant LAKE BONNEVILLE BOY SCOUT COUNCIL Phone (801) 479-5460

Post Office address 1200 East, 5400 South Ogden, Utah 84403

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 11-2039 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant purchased
land and water rights

3. Source of water Hell Hole Spring tributary to North Creek

4. Date of priority May 27, 1910

5. Water is used for the following purposes:

amount 2.0 cfs for Irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.0 cubic feet per second
&/or
b. -200- acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7
Township 12S Range 43E, B.M., in Bear Lake County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
12S	43E	19	40			40									8				88
12S	43E	20					12												12

Total number of acres to be irrigated 100

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information for recreation use
- a. Amount of water to be diverted 2.0 c.f.s. &/or 200 AF acre feet
- b. Description of diverting works Earth Dam (14' high) on stream
- c. Describe the reasons for the proposed changes The reservoir is no longer used to provide water to the lands under the water right license. It is used for recreational use at the Boy Scout Camp at the reservoir.
2. Change in point of diversion
- Point of diversion SW ¼ SW ¼, Section 6 Township 12S
Range 43E, B.M., Bear Lake County
Additional points Note : The original place of use was an apparent error.
3. Change in place of use
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
This transfer will remove the referenced water rights from the land.
The land will no longer be irrigated by this water right.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Application For Transfer of Water Right
Supplemental Information for
CHANGE IN NATURE OF USE

1. Fully complete Form 222. Type or print in ink "CHANGE IN NATURE OF USE" at the top of page 1. If no change in point of diversion or place of use is desired, so note under items C.2 and/or C.3 C.

2. Describe fully the new use to which the water is intended to be applied:

a. Nature of use: Recreation use at a Boy Scout Camp.

Use includes: Fishing, Boating, Swimming

b. Rate of flow: 2.0 cfs

c. Hours per day and days per year that the flow will be diverted: 24 hrs.
up to 200 AF

d. Season of use: Year round use of 200 AF stored water

e. Return flows from the use: (quantity and quality of return flows, and location of discharge):

Discharge will be at the rate of 2.0 cfs or greater (or the rate of inflow)
thru the spillway channel.

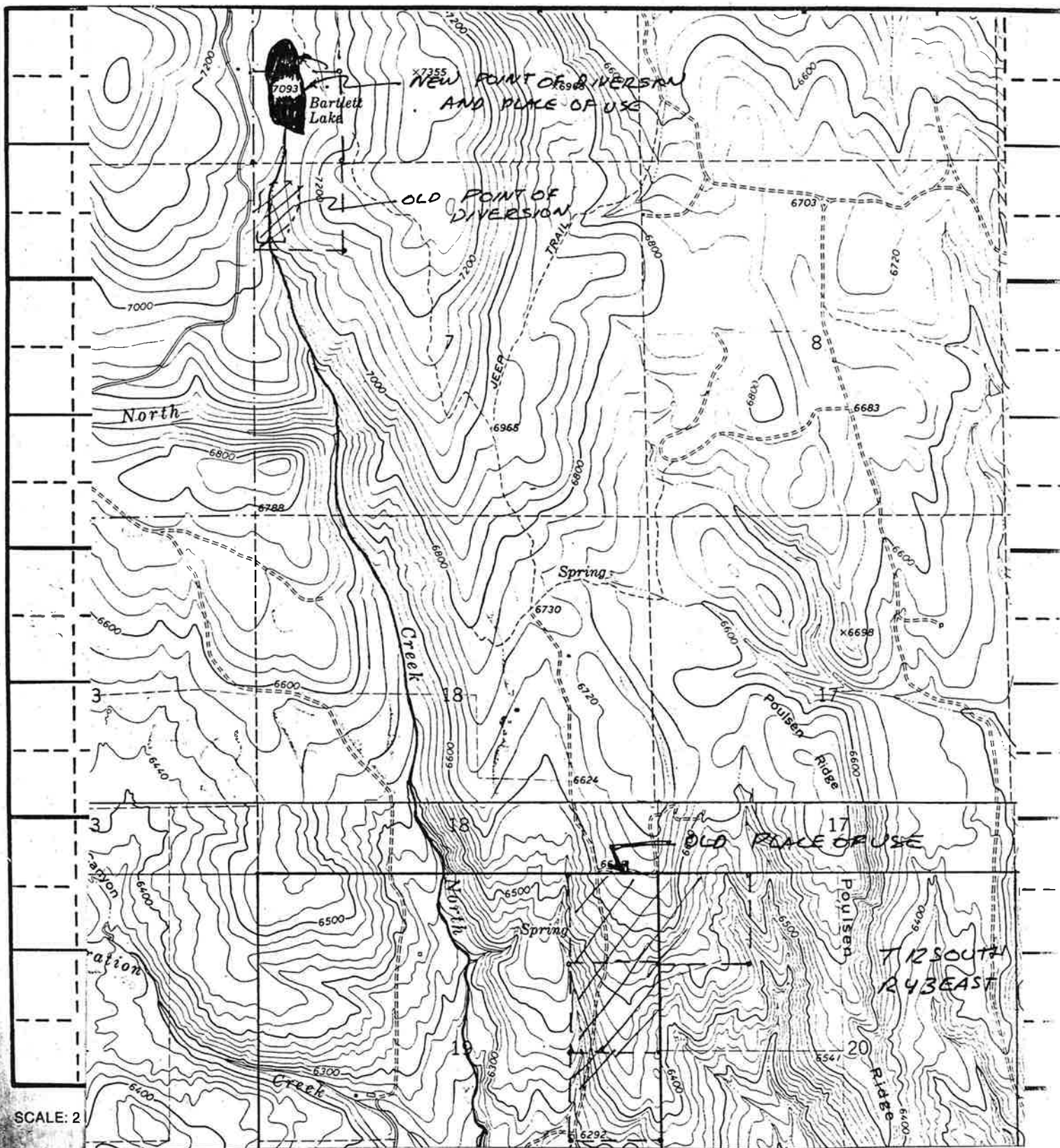
3. Describe positive and negative effects on other waterusers predicted to result from the proposed change in nature of use. This use will have a positive effect on any downstream water users when the reservoir fills the inflow will equal the outflow less evaporation and seepage loss. These losses should be far less than the previous consumptive use of 2.0 cfs. There will be more water available in the creek during the irrigation season.

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	43E	6									X	X							

Total number of acres to be irrigated N/A

- Describe any other water rights used for the same purpose as described above. 11-4218
11-7279 / 11-7280
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Thomas D. Brief A.S.E.

(Signature of Applicant)

Subscribed and sworn to before me this 5th day of November, 1985

Calvin Wray

(Notary Public)

My commission expires 5-29-1991

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-2039

and said application is hereby APPROVED, subject to the following limitations and conditions:

Use of water under this right is subject to control by the watermaster of State
Water District No. 11, Bear River.

Witness my hand this 3rd day of March, 1986

J. Glen Saylor

Chief, Operations Bureau

CW	11-05-85	FOR DEPARTMENT USE ONLY	
CW	2-24-82		
CW	Date 11-02-81	Protest filed by	_____
Received by	<u>HWJ</u>	Fee	<u>\$50.00</u>
Prelim. check by	<u>HWJ</u>	Date	<u>2-24-82 #20109</u>
Received by	<u>CW</u>		
Published in	<u>NEWS EXAMINER, Montpelier</u>	Copies of protest forwarded by	_____
Pub. dates	<u>11/27 + 12/15 1985</u>	Hearing held by	_____ Date _____
Watermaster recommendation requested on	<u>NA</u>	Recommended for	<u>approval</u> denial
_____	rec'd. _____	by	<u>RDC Jim</u>