

MEMO

FROM: Allen Merritt



DATE: April 19, 2002

TO: USFS (Pomerelle Ski Area) Transfer 66616 and application for permit 45-7745

SUBJECT: Pre-hearing conference

Yesterday I conducted a pre-hearing conference in Burley with all parties present. The USFS was represented by Randy Breamer and others. Andrwood was represented by Roger Ling with Brockway Jr. as consultant. Earl Warthen was represented by Norm Semanko (also Travis Thompson) with Terry Scanland as consultant. Leo Bell was represented by Pat Brown. Fred Hawker represented himself. There were numerous other interested parties at the conference which included community leaders, banking interests and also other water users. Estimated about 50 people since all did not sign attendance sheet.

Applicants and Andrwood explained applications involve planned expansion of the ski facility. There will be a new lodge built, new ski runs developed and some additional snow making equipment installed. (3 guns max 60 gpm/gun) Plans on file with FS. Three ponds are planned to be constructed to store 19 af of water to be used for snow making. New ponds will collect runoff and water from Ski Hill springs. Existing facility pumps water from Bennett Spr (Howell Creek drainage) and water from Ski Hill Spring to 60,000 gal storage vault. Estimated use per skier is 3 gpm/day.

Warthen issues are numerous impacts on watershed probably classed as public interest. Also injury to existing WR. Bell issues are injury to his and neighbors decrees. Hawker issues are injury to his WR and expansion of historic use. Watermaster commented that recent figures indicate that facility has moved from seasonal to more of a year round use which now impacts irrigators.

Issues related to impacts of sublimation of snow on new runs, diversion of runoff during irrigation season, expansion of use as number of skiers increase during ski season as well as during summer months.

Brockway study finds no impact or consumption (minimal). Scanland estimates 9 af depletion but does not have details of proposal.

Resolved that consultants would review with each other their calculations. Parties will continue to talk with mitigation a possibility. Parties will let me know by June 4th if they can resolve issues and layout schedule if hearing needed. If this goes to hearing will need a couple of days.

RE: Application for Permit No. 45-7745 & Application for Transfer No. 66616

PLACE: Conference Room, USDA-Forest Service Building, 3650 South Overland Avenue; Burley ID.

DATE: Thursday - April 18, 2002 at 1:00 p.m

CONFERENCE OFFICER: Allen D. Merritt

ASSISTED BY: None

Joint Pre-Hearing Conference
ROSTER OF ATTENDANCE

NAME	ADDRESS	REPRESENTING
Charles G. Brockway	2016 N. Washington Tr	Applicant
Bennie Smyer	Albion Ida	Self
Scott Nannemeyer	3650 S. Overland	USDA Forest Service
Roger D. Eling	P.O. Box 396, Rupert ID	Andwood, Inc.
Les Kuman	Box 548 Burley	
Mike Zimmerman	3650 S. Overland	Forest Service
Anthony F West	380 N. Overland Blvd Suite 330	Forest Service
Steve Spencer	"	Forest Service
TOM GEARY	964 S 950E ALBION ⁸³³¹¹	SELF water district H-5-F
DON GUARDERSON	P.O. Box 125 Albion	Water Master 95F
Nichelle McFarland	P.O. Box 638 Heyburn	Minerals - Co. Co.
Bob E. Egan	216 S. Overland	Burley, ID Self
Doreen Rayman	1101 S. Overland	Burley, ID Self
Susan Anderson	2330 Burton Ave	Mayor/Burley
JON ANDERSON	2330 Burton Burley	Mayor
Nick Rakic	420 W. 21st	Farm
Greg Betts	932 Sandy Glen Ln	Pomerelle Ski Patrol
JOHN SWEET	Albion Ida	POMERELLE SKI AREA
Jeff Chubb	Albion	Chubb Ranch
Mike Egan	Burley	Time - New
Doreen Branson	2165 Overland Burley	Pinetree Sports
JIGGS ELPHISON	336 S 600W HEYBURN	SUPER 8 MOTEL
Dean Asson	P.O. Box Heyburn	MINI-CASSIA CHAMBER
Donald E. Egan	1659 Conant Burley	Self
Seneca Moorman	1352 S. S. Ranch Dada	Six S Ranch
Mike Bossler	1352 S. S. Ranch Dada	Six S Ranch
Dale A. Stoumen	P.O. Box 543 Albion	Rodman Ranch

Rotary members available at

vation

Saturday

Environmental top off Earth h a day-long activities at il Church on

will take place The day will nance of Dr. at 10 a.m., a le Kjadaray 1-15 p.m., a n Idren at n "Jrm com- :30 a.m. and i more. e activities is, medicine lable art and

Monday

ces: "Within e Courage," lunday at the 100 N. Eighth

recognition sary of the ler "as writ- i hor of asages to Story" d by the U.S. tion, Idaho n Center and f Education. e admission. staff reports

High School - a competition in which fiddlers pick slips of paper out of a hat with names of tunes they must play impromptu and without warning.

Preliminary competition for the finals begins at 8 o'clock Saturday morning at the high school, and continues all day, with the finals commencing at 7 p.m.

All events are open to the public and free.

The event coordinator, fiddler Ken Worthington, 66, of Bellevue, a retired school teacher, will be the emcee. Please see FIDDLERS, Page B3

Parties continue to address water rights

By Nate Johnson
Times-News writer

BURLEY - There is still no permit in place to allow artificial snow to be made at Pommerelle Mountain Resort, but the parties involved in a dispute about that issue may be closer to a resolution.

The parties agreed on a direction to a possible consensus at what Allen Merritt, southern regional manager of the Idaho Department of Water Resources, called the most heavily attended pre-hearing conference he has facilitated.

Thursday's conference in Burley could have led to a settlement or a hearing. Instead,

hydrologists and lawyers from both sides agreed to work to find if the water rights will negatively affect people who hold water rights downstream. They will also attempt to find whether the proposed manner of snowmaking would amount to a consumptive use of water. The parties will meet again before June 5 to try to reach an agreement acceptable to all.

"We want to exhaust all possibilities for settlement before we go to a hearing," said Randy Brainer, attorney for the U.S. Department of Agriculture.

The U.S. Forest Service has already approved an expansion plan for the ski area. In order to please see WATER, Page B3

Archie Turner of Twin Falls performs with members of the Old Time Fiddlers Association Thursday at Atkinson's Market in Halley. The group met up with performers from all over the state for a practice performance all over town before the Old Time Fiddlers' State Contest begins today. The competition will run through Saturday.



KIRSTEN SHULTZ/The Times-News

Events mark internment camp anniversary

By Robert Mayer
Times-News writer

TWIN FALLS - It's a celebration of the human spirit and of spring's arrival.

But it's also an educational remembrance of humanity's darker moments.

In commemorating the 60th anniversary of Japanese-American relocation and internment camps, events ranging from a baseball game to a cherry blossom festival will be offered in Twin Falls Friday and Saturday.

The idea is to both entertain and to raise awareness of what took place in the Magic Valley 60 years ago, said organizer Maya Lemmon.

During World War II, the U.S. government rounded up hundreds of thousands of Japanese and Japanese-Americans in the

Marking 60 years

Twin Falls events planned to observe the 60th anniversary of Japanese-American relocation and internment

Today

- 5 p.m. - Commemorative baseball game at the College of Southern Idaho. In addition to a 21-gun salute, a former Hunt Camp resident will throw the first pitch.

Saturday

- 11:30 a.m. - Lunch at CSI, Taylor Building, Room 277.
- 1 p.m. - Free presentation at the

For more info

name of national security. In the Magic Valley, more than 10,000 were kept at the Mindoka relocation center, also known as Hunt Camp.

Not much remains at the Jerome County site, now a national monument, but a restoration is planned, with

attendees have there a current ed

Sno

Watershe

Upper Sne Salmon Fe Oakley Ba

Big and Lit Henrys Fo Big and Lit

Big and Lit

Aspen Buildi

experts on in Japanese-Ar

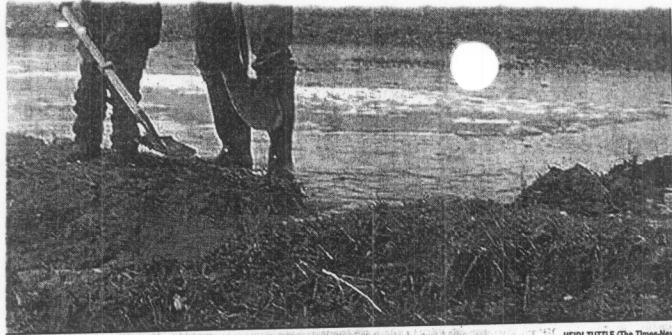
• 2:30 p.m. -

racks and ori • 5 p.m. - Ch with tradition ing and drum Park.

much of th going towa

The wee today at 5

Southern I orative ba: CSI and Do While at p



HEIDI TUTTLE/The Times-News

Commerce subcommittee on energy and air quality.
Abraham's first public defense of the Bush administration's recom-

new burial site for high-level nuclear waste, now stored at 131 round the country.

Water

Continued from B1

make that expansion profitable, Pomerelle needs to have the capability to make snow early in the season, said Woody Anderson, one of the owners of the resort.

To allow Pomerelle to make snow, the Forest Service applied for a water right and asked that an existing water right be transferred from domestic to commercial use. Some of the water from the transferred right would go to snowmaking and some would be used at a new lodge.

Two Cassia County men, Fred Hawker and Earl Warthen, objected to the applications, voicing concerns the new permits would decrease the amount of water that flows onto their lands. Another man with water rights on Howell Creek, Leo Bell, filed a motion of intervention against the applications.

Based on the information the Forest Service had gathered, Pomerelle's owners have determined the new water rights would not cause an injury to the rights of those downstream and the snowmaking will not consume water, said Roger Ling, attorney for Anderwood, the company that owns Pomerelle Mountain Resort. Rather, snowmaking would store the water on the mountain to flow downstream later.

When Bogus Basin and Sun Valley ski resorts applied for permits to make snow, Water Resources granted those applications because it determined snowmaking was not a consumptive use of water, Ling said.

The proposed snowmaking equipment would spray 19 acre feet of water onto the mountain-side using water from an existing diversion at Howell Spring and two or three new storage reservoirs, said Chuck Brockway, an engineer who has worked on the project. The snow would later melt and flow back down the creek.

"There's a lot more gory details, but if you do the water balance - all the plusses and minuses - you come out to a little bit of a net benefit to Howell Creek," Brockway said.

Brockway and Forest Service personnel have not calculated the amount of water that will evaporate off the reservoirs, said Pat Brown, an attorney representing Bell. Sun Valley and Bogus Basin did not have ponds in their snowmaking plans, Brown said.

If evaporation and other water losses resulting from the permits amount to a consumptive use of water, the Forest Service must provide some sort of mitigation or the applications cannot go forward, said Norm Semanko, Warthen's attorney. Water Resources has a moratorium on all new consumptive uses of

The water rights dispute

□ **The plan** - The owners of Pomerelle Mountain Resort have received permission from the U.S. Forest Service to expand the ski area. They're also seeking a new water right which will allow them to create artificial snow, which they say is needed as part of the expansion plan.

□ **The water right** - A new water right would actually be assigned to the Forest Service. That agency has also asked that an existing water right be transferred from domestic to commercial use. Some of the water from the transferred right would be used for snowmaking and some would be used to supply water to a new ski lodge.

□ **The protests** - Three men, Fred Hawker, Leo Bell and Earl Warthen, are concerned the changes in water rights and uses may decrease the water flowing off the mountain and onto their lands.

water, Semanko said.

If there is indeed some consumption of water involved in the new permits, the Forest Service and Pomerelle will consider mitigating the situation, Ling said.

Protesters also expressed a willingness to find a mutually satisfactory agreement.

"If you can enlighten us so we are comfortable with the notion our water rights won't be injured," the protesters might drop the intervention, Brown said.

"I've got nothing against skiing, and if they can do this without reducing the flow, more power to them, but I see no reason to issue another license on a creek that's already over-licensed," Hawker said.

Hawker was also concerned about water the resort would use during the summer. Because water rights downstream are older than the resort's water rights, Pomerelle will be the first forced to shut off its pumps when there is not enough water to go around, Bramer said.

The increased use of water in relation to the expansion would lower water quality, Warthen said. "I could spend a month with you people trying to point out what I believe is abuse of our watershed," he said.

Most of Warthen's concerns, however, had to do with the environmental condition of the resort in general, rather than the water rights.

About 45 area residents attended Thursday's hearing, but hearing procedures did not allow the general public to comment on the issues.

Times-News writer Nate Johnson can be reached at the Mini-Cassia Bureau at 677-4042, Ext. 637, or by e-mail at njohnson@magicvalley.com.

zen in first-quarter fund-raising

etter postmarked that reality fully in ar that if I ignore y of a strong and Democrat candi at my own peril!" o write off maxi- contributions from butors, Anthony w York and D.H. e Overmeyer of .. because their ed. He also turned contribution from lene Tribe. d another \$97,000 interest political ittees to average onth from January ch. Last year when re-election effort in g raised just over \$1 average of about 1th. who faces Dave loise in the May pri- other \$45,000 from special interest com- taking his total as filed no informa-

tion with the Federal Election Commission.

The cash cushion built up last year by Craig with \$845,000 in the bank on April 1. Blinks had \$145,000 and only because of his personal loan.

Still, his allies offered the financial report as evidence that his campaign has broad support and was not a self-financed political bid by a wealthy businessman, who now lives in Sun Valley.

His list of financial supporters is studded with political and other stars. Among them are: Vernon Jordan, former president of the National Urban League and adviser to former Presidents Clinton and Carter; Lloyd Cutler, former White House counsel in the Clinton administration; former Seagram's chief executive Edgar Bronfman; Teresa Heinz, widow of the former Republican senator from Pennsylvania who is now married to Democratic Sen. John Kerry of Massachusetts and has a home in Sun Valley; former Republican state Rep. M. Reed

Hansen of Idaho Falls; RCA entertainment director William Sarnoff, entertainer Barbra Streisand and actors Ben Stiller, Edward Norton and Timothy Dalton.

Blinks has already paid \$123,000 to Democratic consultant Bob Beckel, who worked in the Carter administration and was Walter Mondale's campaign manager in 1984. He has also spent \$85,000 on the television advertisement that has been airing recently and another \$21,000 on a poll.

Craig has spent over \$145,000 on direct mail solicitations like the one sent out earlier this month and another \$18,000 on other fund-raising strategies. He spent nearly \$300,000 on direct mail last year.

Facing Democratic business Walt Minnick in 1996, Craig went into debt spending \$2.8 million to win a second term with 57 percent of the vote. Minnick spent over \$2 million - half from his own pocket - to get just under 40 percent.

l over years of per- le most requested ontinue to include ssom Special and nonball. contest has been an tutio since 1961. Robert E. Smylie a friend, the late w, of Fairfield, to who's fiddlers to per-

form for the state's centennial celebration.

Now there are 10 districts in the state that keep fiddlin' alive, and to produce contestants for the national competition, which Idaho will host this year in Weiser in June.

The art of fiddlin' is an acquired skill, handed down by generations, and involves men,

women and children in virtually every walk of life.

Worthington said fiddlers as young as 3 years old have competed in contests. He said he believes 93-year-old Loretta Brandt, who lives in the St. Benedict's nursing home in Jerome, is the oldest active Idaho "fiddler," although she no longer travels to competitions.

learn calligraphy and origami.

While the events' first priority is people's enjoyment, Lemmon also wants it to serve an educational role, allowing the internets to serve as a cautionary tale.

"You don't want the same thing happening again to other people," she said. "It was a gross mistake."

Times-News writer Robert Mayer can be reached at 735-3231 or via e-mail at rmayer@magicvalley.com.

ational Park Service s plans for the Hunt . Also, a group of ldren will present a

resentation on the follow the lunch at 1 om 108 of the Aspen The talk features ims, a Boise State professor, and the fore- rt on the Minidoka Rita Takahashi, a San ate University profes- apiler of more than 400

Japanese-American oral histories.

Afterward, a bus will be provided to take people on a tour of the camp's barracks building at the Idaho Farm and Ranch Museum in Jerome as well as the original site of the Minidoka camp itself. Seating is limited, and a \$10 donation is requested.

The day will wrap up with a cherry blossom festival at Twin Falls City Park starting 5 p.m. Along with traditional dancing, drumming and martial arts, the public will have opportunities to