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DEC 04 1998

Department of Water Resources
Southern Region

December 2, 1998

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DEC 03 1998

Department of Water Resources
Eastern Region

Karl J. Dreher, Director
Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402

Re: **In the Matter of Application for Transfer No. T5194 of
the United States Department of Agriculture - Forest
Service, for Change of Water Right**

Dear Mr. Dreher:

Enclosed for filing is a *Petition for Intervention* with regard to the above-captioned matter, which we are filing on behalf of Andrwood, Inc., d/b/a Pomerelle. Also enclosed is our firm's check in the amount of \$25.00 for the petition fee.

Very truly yours,


Roger D. Ling

RDL:jkb

encs

Receipt # E024655

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DEC 03 1998

Department of Water Resources
Eastern Region

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Attorneys for Andrwood, Inc.
d/b/a Pomerelle

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

10 IN THE MATTER OF APPLICATION)
11 FOR TRANSFER NO. T5194 OF THE)
12 UNITED STATES DEPARTMENT OF)
13 AGRICULTURE - FOREST SERVICE,)
14 FOR CHANGE OF WATER RIGHT.)

PETITION FOR INTERVENTION

15 COMES NOW Andrwood, Inc., d/b/a Pomerelle, and petitions
16 for an Order from the presiding officer granting Andrwood, Inc.
17 intervention to become a party in the above proceedings, and in
18 support of said petition, alleges:

19 1. That Andrwood, Inc., d/b/a Pomerelle, operates a ski
20 lift and resort under the name of Pomerelle, pursuant to a permit
21 issued by the United States Department of Agriculture, Forest
22 Service.

23 2. That the water right acquired as described in the
24 Forest Service Amended Notice of Claim, Identification No. 45-4114,
25 is the water right used by petitioner in the operation of said ski
26 area, and is essential to the operation of said ski area.

27 3. That Transfer Application No. 5194 relates to said
28 water right claim filed by the USDA - Forest Service, and such

PETITION FOR INTERVENTION

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1 Transfer Application is necessary to petitioner in the economic
2 operation of said ski area pursuant to its permit with the Forest
3 Service.

4 4. That petitioner and its predecessor-in-interest have
5 historically used the water right claimed by the Forest Service
6 herein referred to, and petitioner seeks to obtain approval of the
7 *Application for Transfer* if such application is required to
8 accommodate the use of the water for snowmaking purposes, which use
9 is and constitutes an integral part of any ski facility.

10 5. That no formal hearing or pre-hearing conference has
11 been set by IDWR in regard to these transfer proceedings.

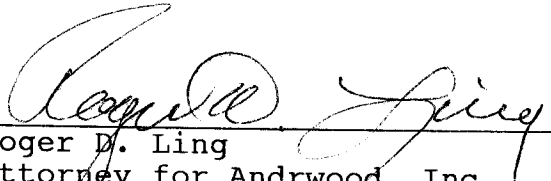
12 6. The address of petitioner is P. O. Box 158, Albion,
13 Idaho 83311.

14 7. That intervention by petitioner will not disrupt
15 these proceedings or prejudice any existing parties, or in any way
16 unduly broaden the issues pending before the Department of Water
17 Resources.

18 WHEREFORE, petitioner prays for an Order granting
19 petitioner Andrwood, Inc. intervention as a party in these
20 proceedings in support of the Application of the Forest Service.

21 DATED this 2nd day of December, 1998.

22 LING, NIELSEN & ROBINSON

23
24
25 By: 

26 Roger D. Ling
27 Attorney for Andrwood, Inc.
28 d/b/a Pomerelle

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Roger D. Ling