

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources
Southern Region

apartment of Water Resources
Southern Region

JAN 02 1995

Name of applicant United States of America (USDA Forest Service) Phone 208-737-5320

Post Office address 2647 Kimberly Road E., Twin Falls, ID 83301-7976 (737-3200)

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes: To establish that the use of existing water right for snowmaking purposes is an allowed beneficial use of the water appropriated for commercial purposes, being a non-consumptive use

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use | |
|---|--------------------|-----------------------|-------------------|-------------------|-------------------|
| <u>45-4114</u> | <u>May 1, 1965</u> | <u>.06 cfs</u> | <u>commercial</u> | <u>Jan. 1</u> | <u>to Dec. 31</u> |
| <u>45-4114</u> | <u>May 1, 1965</u> | <u>.06 cfs</u> | <u>snowmaking</u> | <u>Oct. 15</u> | <u>to Dec. 31</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u>to </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u>to </u> |
| 2. Total amount of water being transferred <u>.06</u> cubic feet per second and/or <u> </u> acre-feet per annum. | | | | | |
| 3. Source of water <u>Two springs, locally known as: Bennett Spring</u> | | | | | |
| <u>Pomerelle or Ski Run Spring and tributary to Howell Creek</u> | | | | | |
| 4. Point(s) of Diversion: | | | | | |

[illegible]

5. Lands irrigated or place of use: **PLACE OF USE IS LOCATION WHERE SNOWMAKING WILL OCCUR.**

[illegible]

PART 1**6. General Information:**

- a. Description of diversion system Water from Pomerelle Spring is conveyed to 60,000 gal. storage tank and water from Bennett Spring is pumped into a 1200 gal. tank and then to the 60,000 gal. storage tank. Water is then piped to the lodge and related buildings, and will be pumped into snowmaking nozzles for snowmaking.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

- d. Remarks:

Existing water supply would be used for snowmaking when necessary during the period of use. All snow, upon melting, would provide runoff to the same water course which receives a portion of its water supply from the springs.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

PART 2

TRANS NO. 5194

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-04114

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
DOMESTIC	01/01 to 12/31	0.01 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SPRING	BENNETT SPRINGS

Priority: 05/01/1965

LOCATION OF POINT(S) OF DIVERSION:NENE , Sec. 1, Township 13S, Range 24E
CASSIA CountyPLACE OF USE: DOMESTICTWN RGE SEC

13S 24E 1 NENE

CONDITIONS/REMARKS:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 45-4114 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other federal domain

3. Source of water Pomerelle and Bennett Springs tributary to Howell Creek

4. Date or priority May 1, 1965

5. Water is used for the following purpose:

amount .06 cfs for commercial purposes from Jan. 1 to Dec. 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	NE	11	13S	24E	Cassia	
	NW	NE	NW	1	13S	24E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
13S	24E	1										C							

Total acres 2

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 non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

SNOWMAKING AREA BOUNDARY

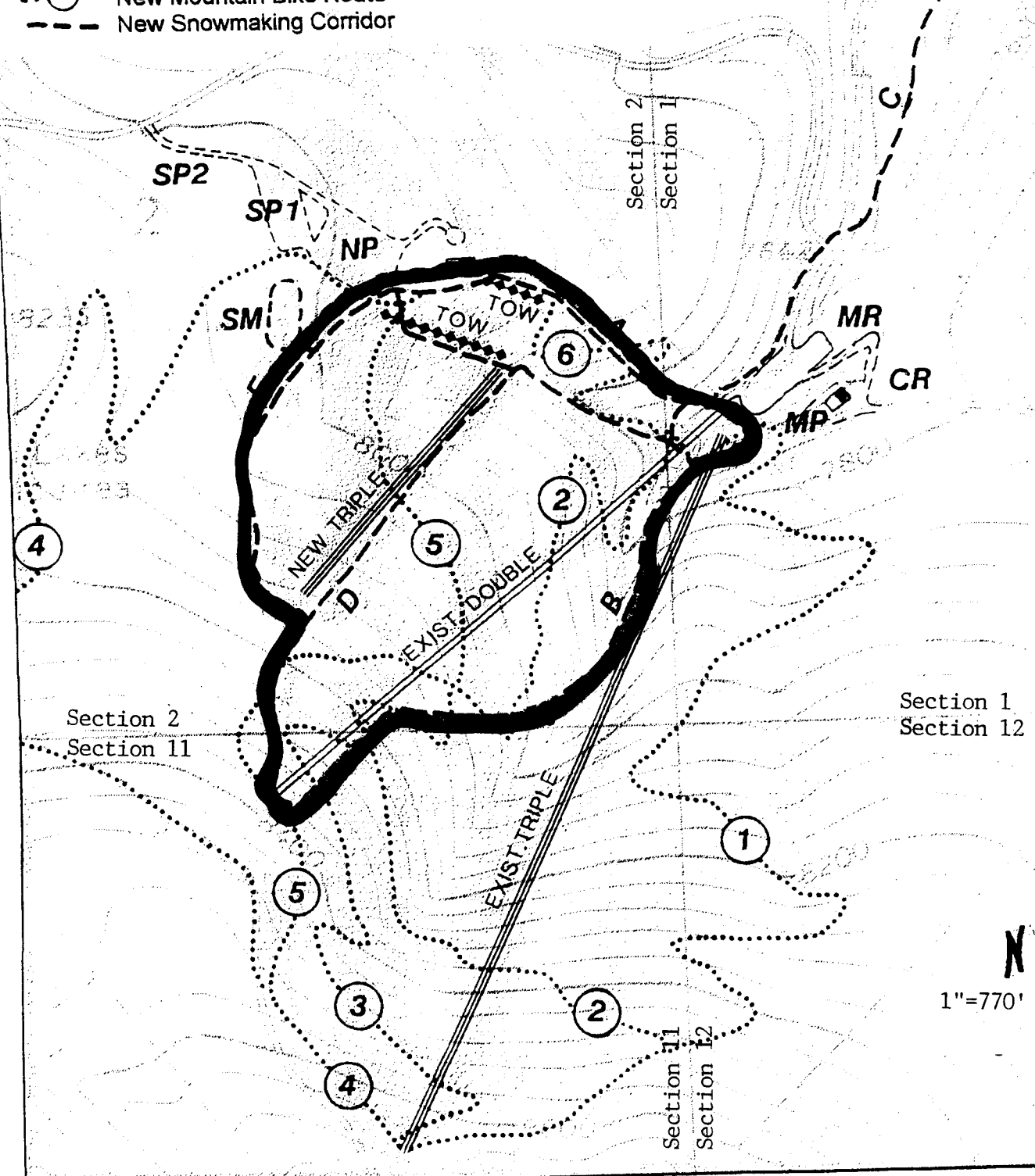
Twp. 13S, Rge. 24E

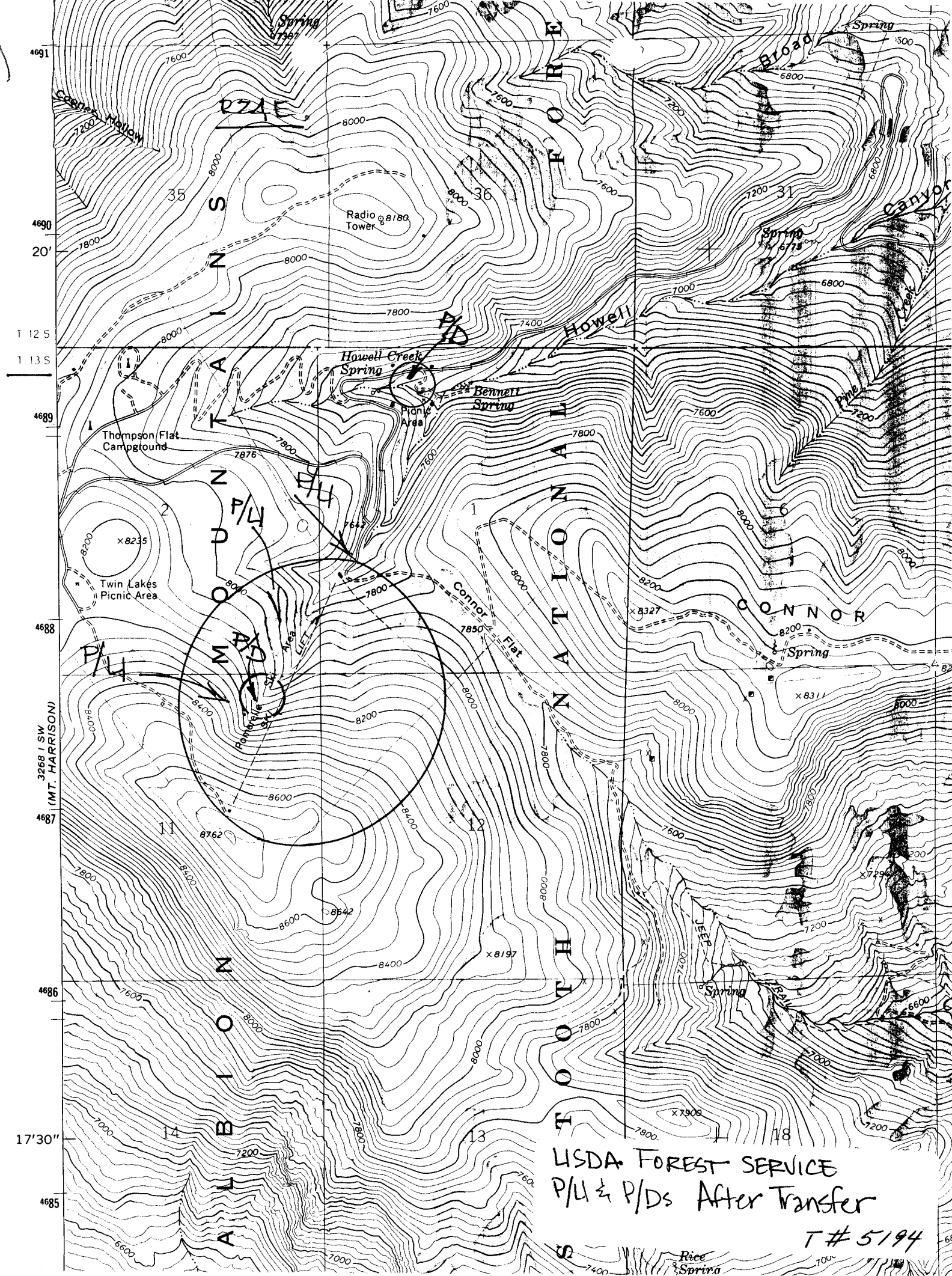
Figure 9

Snowmaking Corridors and Summer Trails

- New Building Location
- New Roads, Parking
- New Mountain Bike Route
- New Snowmaking Corridor

- Double Chair Lift
- Triple Chair Lift
- Handle Tow





4691
4690
20'
T 12 S
1 13 S
4689
4688
3268 / SW (MT. HARRISON)
4687
4686
17'30"
4685

R24E

35

S

N

A

T

Z

D

P/U

M

A

D

N

B

I

O

T

A

Radio 8180 Tower

Howell Creek Spring

Bennett Spring

Thompson Flat Campground

Twin Lakes Picnic Area

Connor Flat

Howell

CONNOR

TOOTH

T

USDA FOREST SERVICE

P/U & P/Ds After Transfer

T # 5194

Rice Spring

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Snowmaking</u>	<u>.06 cfs</u>	<u>55 days</u>	<u>Oct. 15 to Dec. 31</u>
				<u>to</u>

2. Quantity and quality of return flows and location of discharge:

All water converted to snow will return to Howell Creek as surface runoff during the spring thaw.

3. Describe effects on other water uses resulting from the proposed change:

None. There will be no measureable consumptive use. Other water uses for the waters of Howell Creek will not be affected, as 98% of such water use occurs during the irrigation season, and the melting additional snow will be beneficial to those uses.

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 willful misrepresentations made in this application may result in voiding its approval.

United States of America (USDA-Forest Service)

William P. DeVore

(for) JACK A. BLACKWELL, (Signature of Applicant) Regional Forester

Subscribed and sworn to before me this 2nd day of January, 19 98.

Guenna Prescott

(Notary Public)

My commission expires 6/29/99

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by GLS Date 02 Jan 98 Protest filed by _____

Prelim. check by GS Fee \$100 5020811 _____

Receipted by GLS Date 05 Jan 98 _____

Published in So. Jo Press Copies of protest forwarded by _____

Pub. dates 1/26 & 2/2/98 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____