

MEETING MEMORANDUM

Application for Permit—Carl Smid

Power (Basin 77-no number issued)

From: J. Westra

Date: 8/11/06

Attendance: Chuck Cuddy, Consultant

Gregg Teasdale, Consultant

Carl Smid, Applicant

Cindy Roberson, ID F&G

J. Westra, IDWR

The meeting was called by Mr. Cuddy to discuss the concerns/needs of the agencies involved. Mr. Cuddy presented hydro project on French Creek to the participants. The plant will produce power for the Smid property only and will not be put on the grid for marketing. A FERC declaration of intention was submitted in early June 06. As this is not a commercial power project, the consultants believe that FERC will sign off as not jurisdictional.

I discussed that the application was being held pending the completion of the SRBA later this fall. Our agency had began processing older priority applications in the Salmon Basin with the lifting of the moratorium. There was a committee of state agencies reviewing the applications to address environmental and water quality concerns. If the applicant wished to address the concerns of such agencies as F&G and DEQ upfront that will help expedite the application processing.

Cindy Robertson and Dale Allen of McCall had recently visited the French Creek site. Craig Johnson of BLM had also checked in with the consultants. Cindy presented the following concerns:

- Effect on the stream of diverting 2 cfs during low creek flow periods. There are % charts available for the creek when less than 8 cfs will occur. Effect on fish-----
- Winter period—creek flow icing, splash ice- not much data available, maybe observation only information available.
- Penstock intake design will be coordinated with F&G—done by F&G?
What about ice chunks?
- Final design location of penstock—along the road but where? some unstable areas.

Cindy will write a letter to the applicant outlining the concerns, this will then be forwarded to FERC. The consultants will prepare responses.

Remarks

--Hinkley power/irrigation license #77-2064 is downstream on French Creek for CC residence and camp. Do not know use status.

Follow-up

Keep consultants informed of processing status of application, inform them when process commences.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 77-2064

WATER RIGHT NUMBER: 77-2064

Owner Type Name and Address
 Current Owner CLIFFORD HINKLEY
 RIGGINS, ID

Priority Date: 01/20/1937

Basis: License

Status: Active

Source Tributary
 FRENCH CREEK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
POWER	/ to /		
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

FRENCH CREEK SE1/4SE1/4 Sec. 13, Twp 24N, Rge 03E, B.M.
 IDAHO County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
24N	03E	13				10.0													10.0
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Total Acres: 10

POWER same as IRRIGATIONConditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 77-2064

Water Supply Bank:

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NOTICE OF DECLARATION OF INTENTION
AND SOLICITING COMMENTS,
PROTESTS, AND/OR MOTIONS TO INTERVENE

(June 14, 2006)

Take notice that the following application has been filed with the Commission and is available for public inspection:

- a. Application Type: Declaration of Intention
- b. Docket No: DI06-2-000
- c. Date Filed: June 7, 2006
- d. Applicant: Carl Smid
- e. Name of Project: French Creek Micro Hydro Project
- f. Location: The proposed French Creek Micro Hydro Project will be located on French Creek, tributary to the Salmon River, near the town of Riggins, Idaho County, Idaho, affecting T. 24 N., R. 3 E., secs. 13 and 24, Boise Meridian. The powerhouse would be approximately one mile from the confluence of French Creek with the Salmon River.
- g. Filed Pursuant to: section 23(b)(1) of the Federal Power Act, 16 U.S.C. §§ 817(b).
- h. Applicant Contact: Chuck Cuddy, PLS, Cuddy and Associates, P.O. Box 64, Orofino, ID 83544; telephone: (208) 476-4643, fax: (208) 476-5042; e-mail: chuckcuddy@valint.net
- i. FERC Contact: Any questions on this notice should be addressed to Henry Ecton, (202) 502-8768, or E-mail address: henry.ecton@ferc.gov
- j. Deadline for filing comments, protests, and/or motions: July 14, 2006.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, D.C. 20426. Comments, protests, and/or interventions may be filed electronically via the Internet in lieu of paper. Any questions, please contact the Secretary's Office. See, 18

DI06-2-000

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CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.gov>

Please include the docket number (DI06-2-000) on any comments, protests, and/or motions filed.

k. Description of Project: The proposed run-of-river French Creek Micro Hydro Project would include: (1) a 2900-foot-long, 10-inch-diameter PCV penstock, diverting 2 cfs from French Creek; (2) a powerhouse containing a 15-kW Pelton-type turbine; and (3) appurtenant facilities. The power would be used on-site at the owner's residence and ranch. The project would not be connected to an interstate grid.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. Locations of the Application: Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the web at <http://www.ferc.gov> using the "eLibrary" link, select "Docket#" and follow the instructions. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene -- Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

