



State of Idaho

DEPARTMENT OF WATER RESOURCES

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November 19, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

UNIVERSITY OF IDAHO
CAPITAL PLANNING AND BUDGET
ATTN GERARD BILLINGTON
PO BOX 443162
MOSCOW ID 83844-7044

RE: APPLICATION FOR PERMIT FOR HYDROPOWER FROM PIONEER CREEK

Dear Mr. Billington:

Enclosed is the University's original application for permit. In our telephone conversation on 11/18/2002, I spoke to you about the uncertainty of the location of your point of diversion and place of use. Where this area has not been surveyed, the location of the point of diversion and place of use is open to interpretation. The improved methodology of mapping water rights using aerial photos and computer technology has given us a more reliable location of the water rights location, which is different than the description listed on your original irrigation water right and your application for permit. Once a field exam has been performed on the adjudication claim for your original irrigation water right and this permit we should be able to attain a fairly accurate record of the actual legal description of your system.

In the interim, I suggest that you describe the point of diversion and place of use as liberally as possible until we are certain of the location. I have included a map that shows that the point of diversion could be located in the NWSE or the NESE, because it very close to the line. The place of use or the location of the generator could also be located very close to the vertex of the SENE, SWNE, NWSE, and NESE. We can avoid future licensing amendments with the liberal descriptions as long as we know that there is only one point of diversion in either $\frac{1}{4}$ $\frac{1}{4}$ and one place of use in the four $\frac{1}{4}$ $\frac{1}{4}$'s listed.

I have sent the front 2-pages of the application with this letter to allow you the opportunity to make the changes if you wish. I have kept all of the attachments, so they won't be lost in the mail. We will also need the diagram of the system showing the conveyance system that shows the distance of the piped and open channel delivery system. The diagram will also need to show where the irrigation use is taken out of the system. You can return all of this information with the affidavit I requested in my 11/8/2002 letter.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent
Enclosures