

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 77-14145

WATER RIGHT NUMBER: 77-14145

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNIVERSITY OF IDAHO REGENTS C/O GERARD BILLINGTON FINANCE & ADMINISTRATION PO BOX 443162 MOSCOW, ID 83844-3162 (208)885-6468

Priority Date: 08/08/2002

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
PIONEER CREEK	BIG CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
POWER	01/01 to 12/31	0.270 CFS	
	<u>Total Diversion:</u>	0.270 CFS	

Location of Point(s) of Diversion

PIONEER CREEK	NW1/4SE1/4	Sec. 3,	Twp 20N,	Rge 13E, B.M.
VALLEY County				

Place of Use

POWER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
20N	13E	3			X														

Conditions of Approval:

Remarks:

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Comments:

1. dnelson 1/16/2003 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed. This area is unsurveyed and the point of diversion could also be listed in the NESE and the place of use could also be listed in the SENE or the N1/2 of the SE.

2. dnelson 1/16/2003 Comment/Analysis

Comment: This permit is in the Salmon River and Wilderness moratorium areas. The applicant claims that the use is non-consumptive. The water being used for power generation travels through a 4 inch pipe to the proposed hydropower unit and then discharges into the ditch used for irrigation. The water in the ditch goes to the fields for irrigation or returns back to the creek at this point. Pioneer Creek does not support any fish species. Any possible consumption with the approval of this application would automatically be mitigated by a reduction in water available for their existing irrigation water right. The applicants computations for power generation match are consistent with the calculations performed according to Administrative Memo 24 (please see computation sheet in file). The applicant has contacted FERC and has a Special Use Permit from the US Forest Service.

The applicants property is located in an area that has not been surveyed, so the actual location of the property is suspect. The point of diversion and place of use was originally licensed under water right 77-2219. New mapping technology puts forth doubt on the actual locations. Snake River Basin Adjudication agents were consulted on the proper location, and they informed us that the location could change if the improved mapping technology warranted a change. Therefore, the place of use and point of diversion were placed very close to the quarter quarter lines, since the actual location of the property is questionable. There is only one point of diversion and only one place of use, even though the legal description suggest otherwise. Jeff Peppersack suggested that we choose only one point of diversion and one place of use during the data entry process so it would look more realistic. Mr. Peppersack also instructed me to include a condition that states that the point of diversion could be located in any of the legal descriptions put on the application, and the applicant will not be charged for a licensing amendment if the actual location is changed due to the modern mapping capabilities.

Water Supply Bank: