

University of Idaho

Administrative Affairs
P.O. Box 443162
Moscow, Idaho 83844-3162

September 26, 2005

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise ID 83705-5082

RECEIVED

SEP 28 2005

WATER RESOURCES
WESTERN REGION

RE: Application for Permit # 77-14145

Dear Mr Westra

The University of Idaho received your letter dated August 24, 2005 regarding the above referenced application. Based on the enclosed letter from the USFS, and the complexity of the issues raised for the USFS, the University of Idaho is requesting that IDWR grant the University and USFS an additional six months to work through the issues that are of concern to that agency. The University is hopeful that with this additional time, USFS concerns can be addressed and the University can proceed with its application to IDWR without protest from the USFS. I will notify you once we have reached an understanding with the USFS.

If you have any questions or need additional information, you can reach me at the address above, phone me at 208-885-6468, or email me at gerardb@uidaho.edu.

Sincerely,



Gerard Billington
Real Estate Officer

C: Richard Bottger, Director Administrative Services, UI College of Natural Resources
Sharyl, Kammerzell, UI Associate University Counsel
Kathy Nash, Payette National Forest, PO Box 1026, McCall ID 83638
Steve Spencer, USFS, 161 Mallard, Suite A, Boise ID 83706



United States
Department of
Agriculture

Forest
Service

Payette National Forest
Krassel R.D.

PO Box 1026
McCall ID 83638
208 634-0600

File Code: 2720-1/2320

Date: September 16, 2005

GERARD BILLINGTON
REAL ESTATE OFFICER
UNIVERSITY OF IDAHO
PO BOX 443162
MOSCOW, ID 83844-3162

RECEIVED

SEP 28 2005

WATER RESOURCES
WESTERN REGION

Dear Mr. Billington,

I received your request for an update on the status of resolving the issues surrounding the water right application for use of water from Pioneer Creek for hydropower purposes. The issues were outlined in the water right protest filed with Idaho Department of Water Resources (IDWR) in March 2003. We are continuing to work with the Regional Office to move forward with these issues. Specifically we are working to get clarification on direction we have for authorizing water diversions in a wilderness area, and particularly hydropower use.

Our Forest Service Manual 2775.1 states "A new hydropower project may occupy land in a wilderness only if the President approves." The water diversion from Pioneer Creek on National Forest System lands provides water for the hydropower plant located on private land at Taylor Ranch. At the Ranger District level, I am working to learn what the process is to obtain Presidential approval for the water use on Pioneer Creek. This may take some time as we will be working with the Regional Office and the Washington Office.

I recommend that you send a letter to IDWR requesting an extension of your application. Steve Spencer from the Forest Service Boise Adjudication Team has contacted Idaho Department of Water Resources to discuss the status of this protest.

If you need additional information please contact me at 634-0601 or Kathy Nash, Special Uses Coordinator, at 634-0416.

Sincerely,

C. QUINN CARVER
DISTRICT RANGER

cc: Steven M Spencer
Gerrish Willis

