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AUG 08 2002

Ident. No. 77-14145

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JAN 15 2003

WATER RESOURCES
WESTERN REGION

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Regents of the University of Idaho Phone 208 885-6468
Mailing address Attn: Gerard Billington, PO Box 443162, Moscow ID 83844-3162
2. Source of water supply Pioneer CK which is a tributary of Big CK (Mall Fork Salmon River)
3. Location of point of diversion is Township 20 N Range 13 E Sec. 3, in the NW 1/4, SE 1/4, Govt. Lot NA, B.M., Valley County; additional points of diversion if any: NA T20N R13E S3 NESE *
4. Water will be used for the following purposes:
 Amount 0.27 cfs for Power purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.27 cfs and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 4" pipe over 1000' between intake @ stream and hydo-unit, water returned to creek in 20' pipe
 - b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet
 - c. Proposed well diameter is NA inches; proposed depth of well is NA feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NA
 - e. If well is already drilled, when? NA; Drilling firm NA
 Well was drilled for (well owner) NA; Drilling Permit No. NA
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. 0.75 KW (750 watts) 75' of head
 - b. Stockwatering; list number and kind of livestock. NA
 - c. Municipal; show name of municipality. NA
 - d. Domestic; show number of households. NA
 - e. Other; describe fully. _____

*Only one point of diversion, located near two 1/4 1/4 sections

3. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	13E	3			P*	P*									P*	P*			

Total number of acres to be irrigated NA

10. Describe any other water rights used for the same purposes as described above. Same diversion as covered by State Water Right # 77-02219.

11. a. Who owns the property at the point of diversion? US Forest Service

b. Who owns the land to be irrigated or place of use? Regents of the University of Idaho

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: See Special-Use Application and Report submitted to USDAFS

12. Remarks: Use attributed to this application is for power generation and is non-consumptive.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

KR Hamer AVP - Finance
Signature of Applicant (and title, if applicable)

Received by KL Date 8/8/02 Time 11:43 Preliminary check by DAN
Fee \$ 250.00 Receipt by KL # W029562 Date 8/8/02
Publication prepared by ST Date 2-6-13-03 Published in _____
Publication approved ST Date 2-24-02 **STAR NEWS**

* Only one place of use, located at corner of four 1/4 sections

Approximate boundary of
University of Idaho
Property

Approximate location of
Power Generation Plant

Approximate location of Point of Diversion

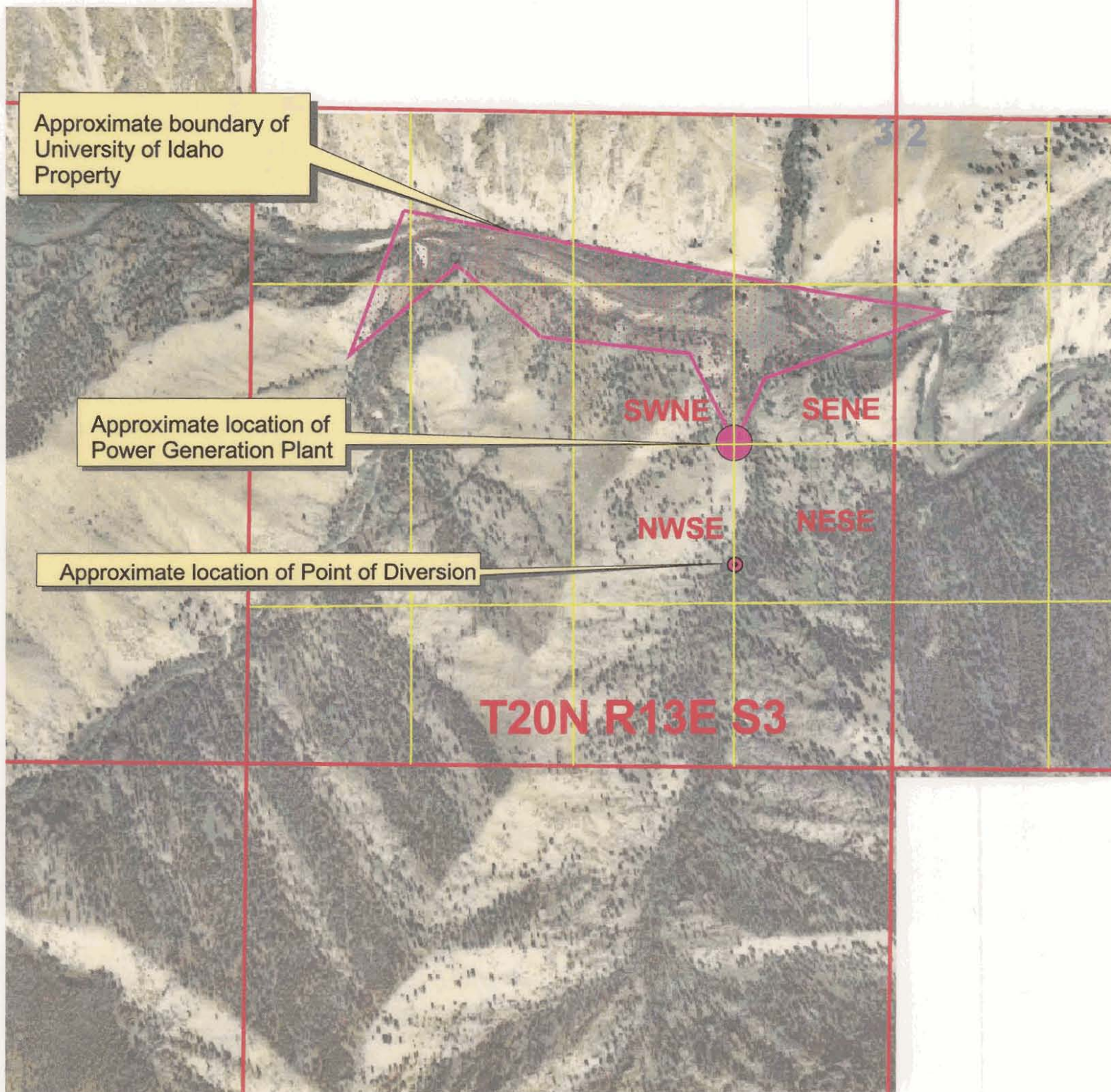
SWNE

SENE

NWSE

NESE

T20N R13E S3

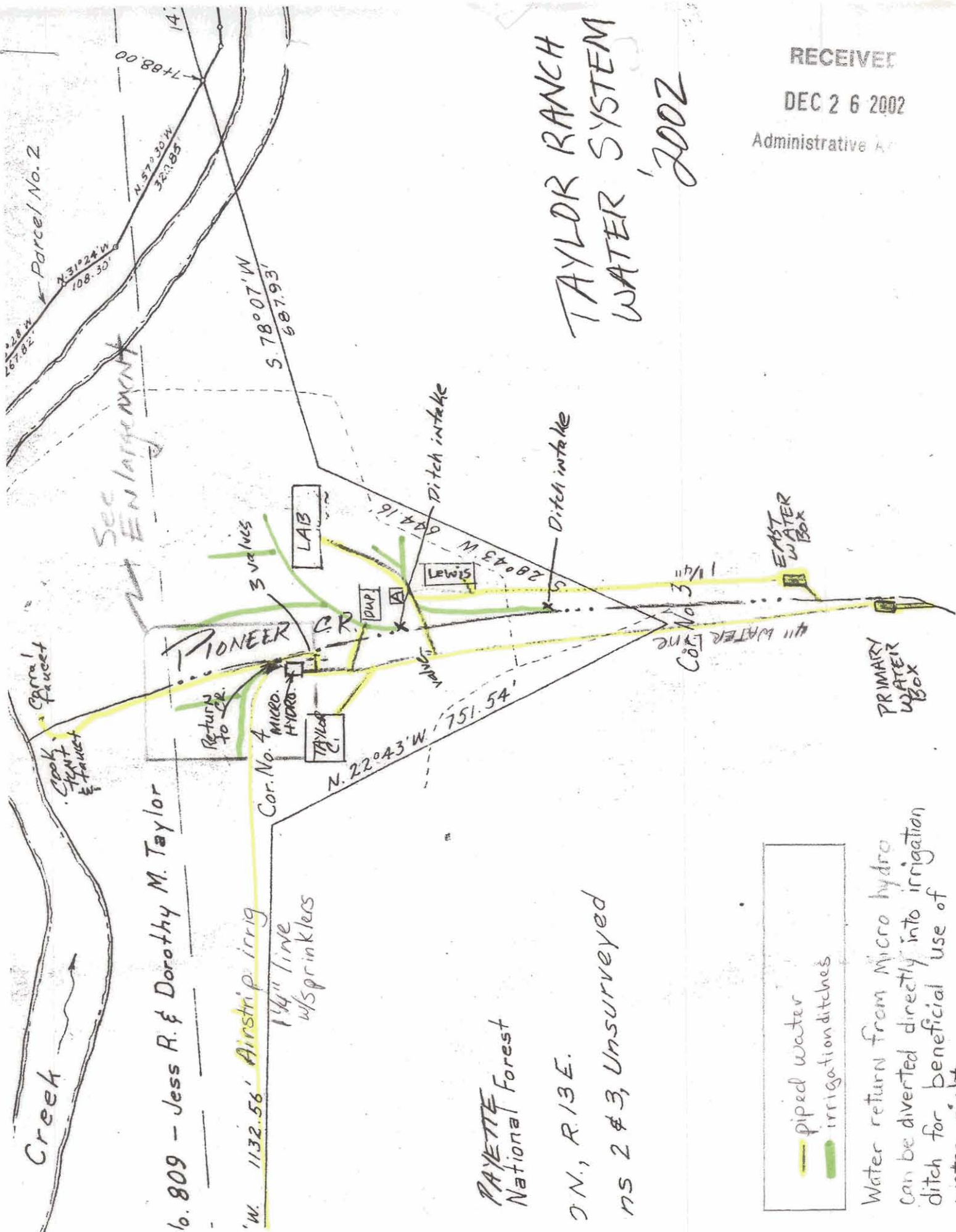


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Administrative A

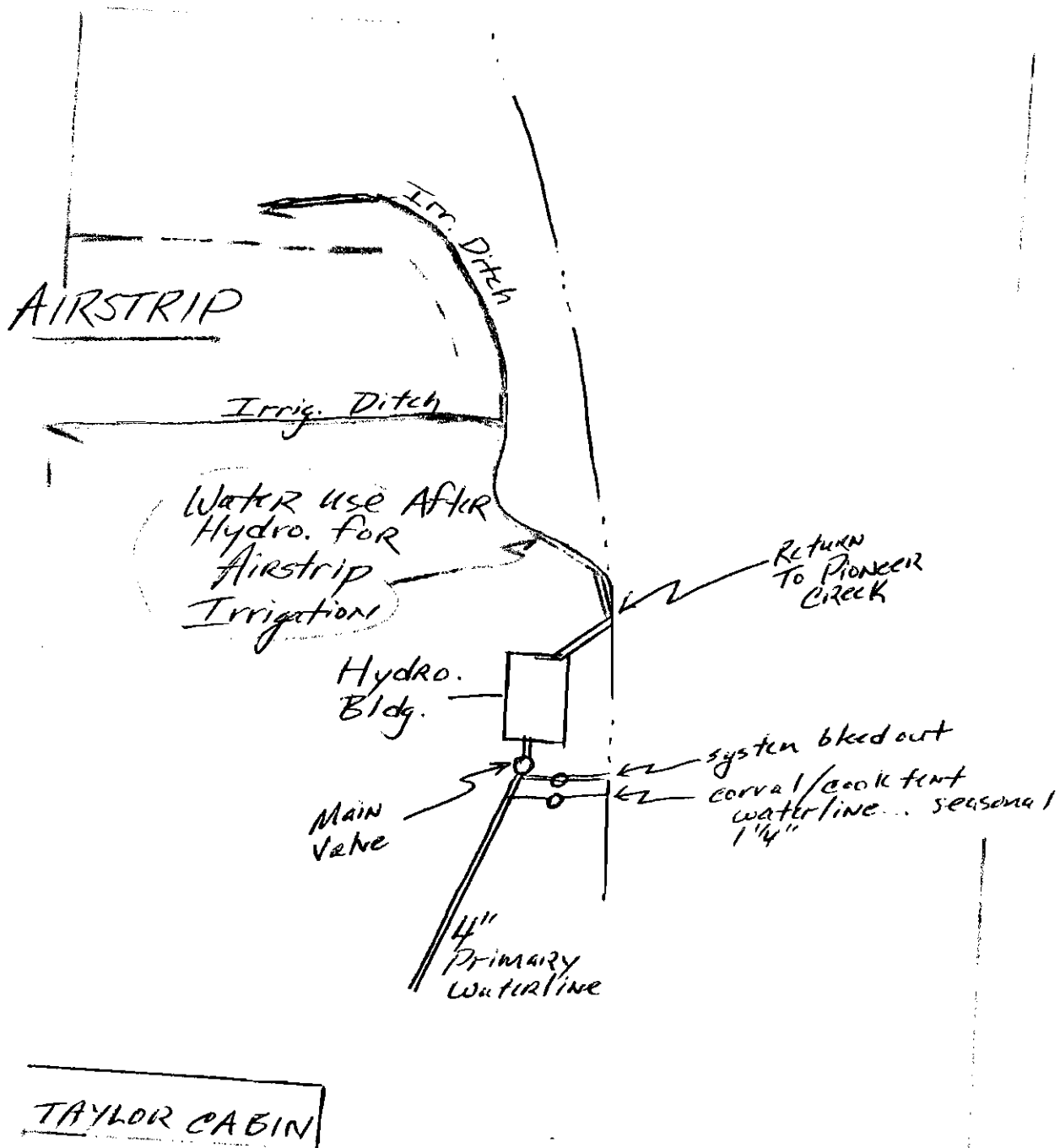
TAYLOR RANCH WATER SYSTEM '2002



Water return from micro hydro
can be diverted directly into irrigation
ditch for beneficial use of
water right

TAYLOR RANCH

FIELD AREA 1114



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JAN 15 2003

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

Water Right No. _____

**AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES**

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, _____ of _____,
(name) (city),

County of _____, State of Idaho, being duly sworn, do hereby
certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, Jerry Wallace of Moscow,
(name) (city),

County of Latah, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the Regents of the University
of Idaho : that as such I am in charge of the registered office
(name of corporation)

of the said corporation as required by Section 30-1-12, Idaho Code, at Moscow
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code: and that the Regents

of the University of Idaho is a corporation qualified to do business in the State of Idaho under the laws
(name of corporation)
of the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

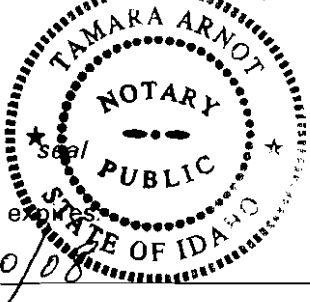
The hydropower facility to be developed pursuant to the attached Application for Permit:

- (check one)
- ☐ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner of the facilities is the signee of this affidavit.

State of Idaho
County of Latah } ss.

Applicant Jerry Wallace

On this 9th day of January, 2003, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Tamara Arnot
Notary Public residing at
Latah County

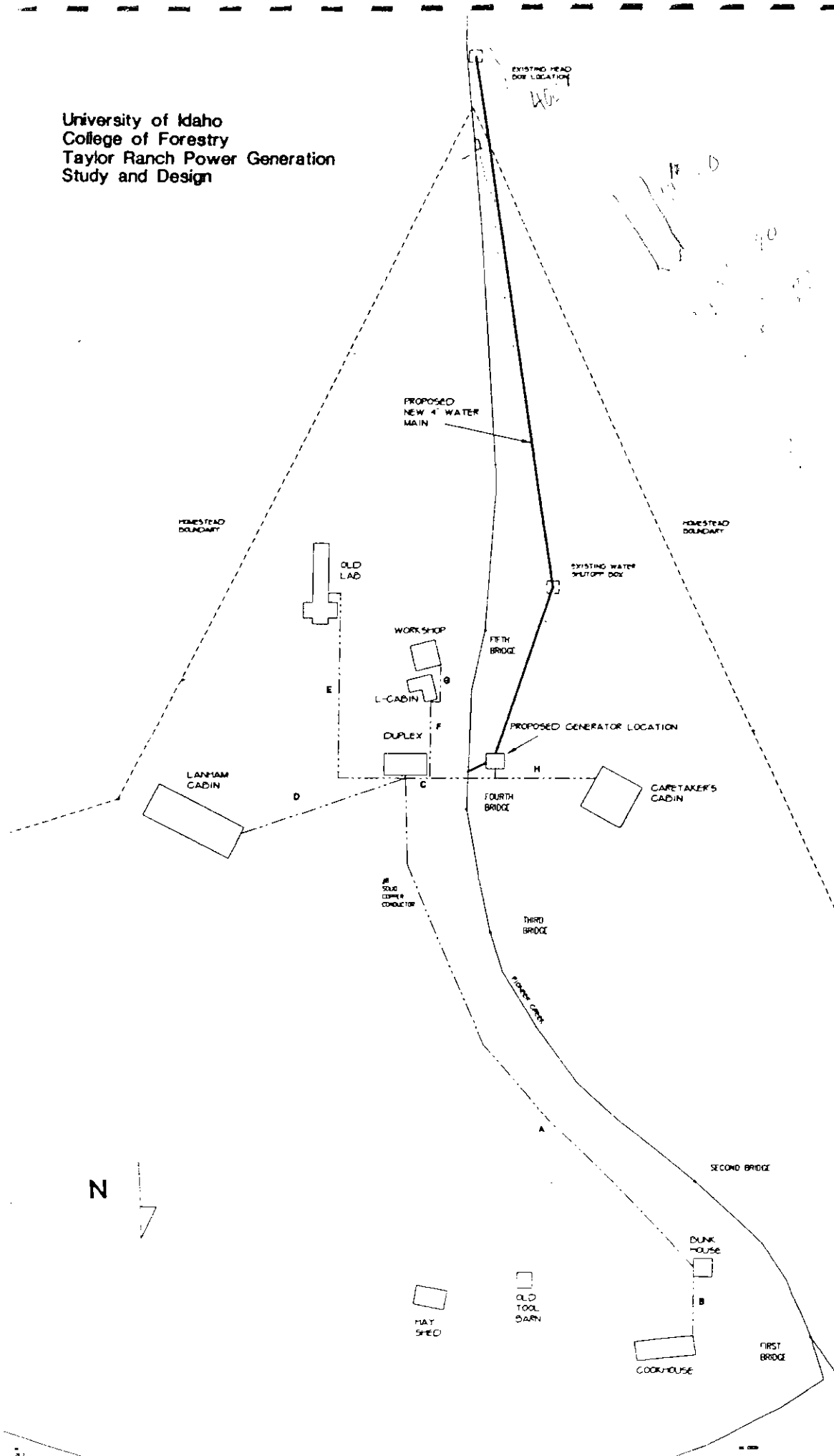
My commission expires

Taylor Ranch Micro-Hydro System

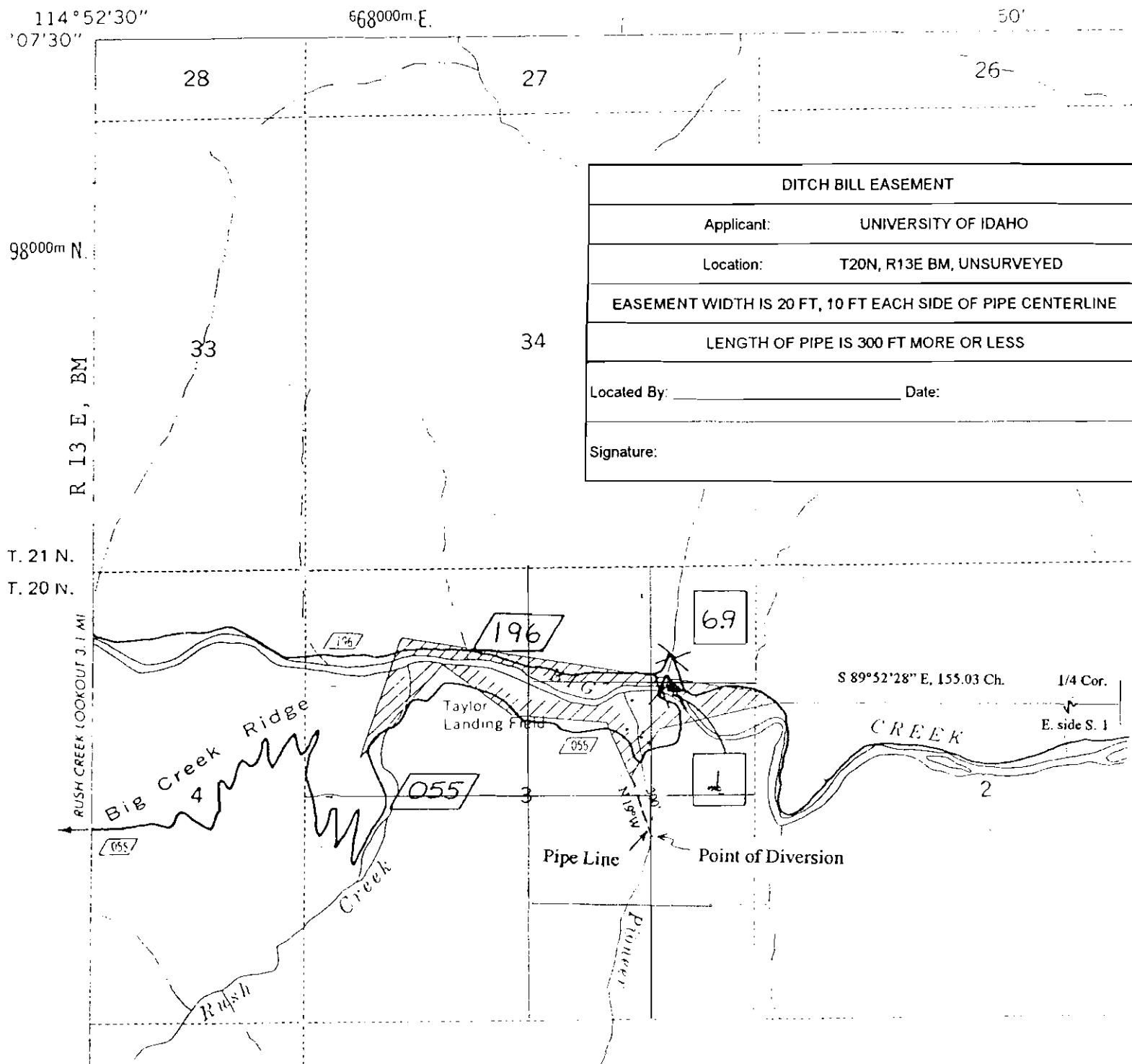
Taylor Ranch Field Station is powered by electricity produced on site. The micro-hydroelectric unit is connected to a pre-existing domestic and irrigation water system that was first installed 50 years ago. The water intake for this diversion is from Pioneer Creek, in Valley County on Payette National Forest land and is authorized by state water right #77-02219. The University of Idaho Engineering Department designed this high pressure, low water volume system in 1996 and it was constructed in 1997. The hydro unit is situated on University of Idaho property on the bank of Pioneer Creek. It is centrally located to maximize efficient electricity transfer to the buildings. Water that runs through the hydro is returned directly back into Pioneer Creek. The micro-hydro provides power for AC lights, outlets, and several appliances for 8 small buildings at the field station. Propane appliances, solar panels, and a portable gas generator provide additional power.

A Harris Hydro pelton wheel generator powers the micro-hydro unit. Pressure in the 4" water line results from a 75' head over the 1,000' of distance between intake and hydro-unit. Water passes through the hydro at an average rate of 80 gallons per minute (3 jets open) and has a maximum capability of 120 gallons per minute (all 4 jets open). Water is returned to Pioneer Creek via 20' of pipe. The micro hydro unit produces an average output of 530 watts, with a maximum capability of 750 watts. A 24 volt battery bank stores the generated power. A 4000 watt inverter converts the 24 volt DC into 120 volt AC power. 120-volt electricity is delivered to buildings through 10 gauge wire in buried conduit.

University of Idaho
College of Forestry
Taylor Ranch Power Generation
Study and Design



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
MODIFIED FOR USDA FOREST SERVICE



Prepared by:

Hodge & Associates, Inc.
ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS
P.O. BOX 8728
MOSCOW, IDAHO 83843

Note

The survey ties to H.E.S. No. 809 shown on this location map are taken from County records. The property is surrounded by U.S. Forest Service Land (Unsurveyed). The ties are supportive information only. The physical water conveyance structure or impoundment described herein is itself the primary controlling element of location.

COPY

OMB No. 0546-0062

USDA-Forest Service SPECIAL-USE APPLICATION AND REPORT (Ref.: FSM 2712, 36 CFR 251.54)		FOREST SERVICE USE ONLY			
		Date Received (mo/day/yr) ____/____/____	Region Number ____	State Code ____	County Code ____
INSTRUCTIONS Applicant should request a meeting with the Forest Service representative responsible for processing the application, prior to completing this form. This meeting will allow a discussion of the form's requirements and identify those items to be omitted.		Congressional Dist. Number ____	Forest Code (Admin. Unit No.) ____	Unit ID Symbol (NFTID No.) ____	
		Ranger Dist. No. (Resp. Dist.) ____	User Number ____	Kind of Use Code ____	
PART I—APPLICATION (Applicant Completes)					
1. Applicant Name and Address (include Zip Code) Regents of the University of Idaho Financial Affairs Moscow, Idaho 83844-3137		2. Authorized Agent Name, Title and Address (include Zip Code) if different from Item 1. G.R. Reynolds Assistant Financial VP/Controller Financial Affairs Moscow, Idaho 83844-3137		3. Area Code and Telephone Number a. Applicant's (208) 885-6174 b. Authorized Agent's (208) 885-2142	
4. As applicant are you? (Mark one box with "X") a. ☐ Individual b. ☐ Corporation* c. ☐ Partnership/Association* d. ☒ State Government/State Agency e. ☐ Local Government f. ☐ Federal Agency * If marked "X", complete PART II.			5. Specify what application is for: (Mark one box with "X") a. ☐ New authorization* b. ☐ Renew existing authorization c. ☐ Amend existing authorization* d. ☒ Other* (Ditch bill) * If marked "X", provide details under Item 7.		
6. If you are an individual or partnership, are you also a citizen(s) of the United States? ☐ Yes ☐ No N/A					
7. Describe in detail the land use, including: (a) type of use, activity, or facility; (b) related structures and facilities; (c) physical specifications (length, width, acres, etc.); (d) term of years needed; (e) time of year of use or operation; (f) duration and timing of construction; (g) temporary work areas needed for construction; and (h) anticipated need for future expansion. (If extra space is needed, use Page 3, REMARKS). (See page 3, REMARKS)					
8. Attach map covering area and show location of proposed use and/or furnish legal description of the land. SEE ATTACHED					
9. Give statement of your technical and financial capability to construct, operate, and terminate the use for which authorization is requested, including the protection and restoration of Federal lands. (If extra space is needed, use page 3, REMARKS). Ditch has been maintained by the College of Forestry since 1968; maintenance will continue.					

10a. Describe other reasonable alternative proposals considered.

NOT APPLICABLE

10b. Give explanation of why it is necessary to utilize Federal lands and why the alternatives in item 10a were not selected.

Water from Pioneer Creek has been used at this site since the early 1900's. No other source of water is available except from Big Creek and Rush Creek, which are anadromous fisheries.

11. Provide statement of need for proposed use, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits. (If extra space is needed, use page 3, REMARKS).

Water diversion used for irrigation for horse pasture, water for domestic use, and possible future use for hydro-generation.

12. Describe probable effects on the area population, including social and economic aspects, and rural lifestyles.

Little or no impact.

13. Describe likely environmental effects that the proposed use will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) control or structural change on any stream or other body of water; (e) existing noise levels; (f) land surface, including vegetation, permafrost, soil and soil stability; and (g) populations of fish, plant, wildlife and marine life, including threatened and endangered species. (If extra space is needed, use page 3, REMARKS).

a, b, d-g not applicable.

c: No known environmental changes.

14. Describe what actions will be taken to protect the environment from the effects of the proposed use.

Continue to maintain ditch and prevent erosion.

15. Name all Federal, State, County or other department(s)/agency(ies) where an application for this is being filed. Attach appropriate license, building permit, certificate or other approval document.

Payette National Forest. Water right license number 77-02219.

I HEREBY CERTIFY, that I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and that this information is correct to the best of my knowledge.

16a. Applicant's Signature (Sign in Ink)

J.R. Raymond

16b. Date

12/31/96

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

Page 3 - REMARKS

7.
 - (a) Ditch—Water from Pioneer Creek. Pioneer Creek does not support any fish species.
 - (b) Collection box located on federal land.
 - (c) Access limited to six feet on either side of Pioneer Creek. Collection box is located approximately 150 feet from applicants land boundary.
 - (d) Indefinite.
 - (e) Year round.
 - (f-h) Not applicable.
1. The University of Idaho, College of Forestry currently utilizes Taylor Ranch as a facility for teaching and research. Taylor Ranch is remotely located in the Frank Church Wilderness in Central Idaho. The only modes of transportation into the site are by small airplane or via a 37-mile foot trail.

Current energy requirements at the site are met by using propane, wood and two small solar generation systems. Propane is used for lightning, hot water, refrigeration and cooking, while heating is accomplished using woodstoves. Two buildings utilize solar power for radios and laptop computers, and a few DC lights.
2. The ranch (approximately 65 acres) consists of a landing strip, resident managers' quarters, and several other buildings suitable for housing, storage, lab work, etc. The ranch is located on Big Creek, a tributary of the Middle Fork of the Salmon River, and is operated year round by a resident manager.

University of Idaho

Capital Planning and Budget
P.O. Box 443162
Moscow, Idaho 83844-3162

Phone: 208-885-7044
Fax: 208-885-9490

May 17, 2002

William Guey-Lee
Federal Energy Regulatory Commission
888 1st St NE
Washington DC 20426

Dear Mr Guey-Lee

Thank you for your assistance with my inquiry regarding the University of Idaho's very small hydroelectric generation equipment operating at a remote location in central Idaho since 1997. To assist you in determining the appropriate status of our project, I have enclosed a brief description, as well as a couple of maps.

As we discussed on the phone, the production capacity of the hydro generator is 750 watts. The power generated by the University of Idaho is utilized exclusively by the University on property owned by the University. The power generation and use are many miles from the electric service grid and used as an alternative energy source for on-site solar, gas, or propane power generators. Since the actual point of stream diversion into an existing irrigation ditch is on US Forest Service property, and the power generation and use occur exclusively on University of Idaho property, it is my understanding that we should begin the process of application for a conduit exemption from Federal Energy Regulatory Commission licensing requirements.

Once you have reviewed these materials, please contact me regarding the University's next steps in establishing the appropriate status of the described project. 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

Enclosures – Project description and maps

C: Richard Bottger, Director Administrative Services, UI College of Natural Resources
Randy Geller, Senior Associate University Counsel
Quinn Carver, Krassel District Ranger, Payette National Forest

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NOTICE OF PETITION FOR DECLARATORY ORDER
AND SOLICITING COMMENTS,
MOTIONS TO INTERVENE, AND PROTESTS

(June 12, 2002)

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

- a. Application Type: Petition for Declaratory Order
- b. Docket No: DI02-5-000
- c. Date Filed: June 4, 2002
- d. Applicant: University of Idaho
- e. Name of Project: Taylor Ranch
- f. Location: The Taylor Ranch Project, constructed in 1997, is connected to a pre-existing domestic and irrigation water system, installed in the 1950's, whose water intake is located on the Payette National Forest land in T. 20 N., R. 13 E., sec. 3, Boise Meridian. The project's generator is located on private lands. The water is diverted from Pioneer Creek, a tributary to Big Creek and the Middle Fork Salmon River, Valley County, Idaho.
- g. Filed Pursuant to: Section 23(b)(1) of the Federal Power Act, 16 USC 817(h).
- h. Applicant Contact: Gerard Billington, University of Idaho, Capital Planning and Budget, P.O. Box 443162, Moscow, ID 83844-3162, telephone number (208) 885-6468, e-mail gerardb@uidaho.edu.
- i. FERC Contact: Any questions on this notice should be addressed to Diane M. Murray, (202) 208-0735, or E-mail address: diane.murray@ferc.gov

DI02-5-000

-2-

j. Deadline for filing comments and/or motions: July 15, 2002.

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 interventions may be filed electronically via the Internet in lieu of paper. Any questions, please contact the Secretary's Office. See, 18 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 (DI02-5-000) on any comments, protests, or motions filed.

k. Description of Project: The existing project consists of a 750-watt generator and appurtenant facilities.

When a Petition for Declaratory Order 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 "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

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.

o. **Filing and Service of Responsive Documents** -- Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Docket Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments -- Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Linwood A. Watson, Jr.
Deputy Secretary

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON D.C. 20426

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

Gerard Billington
Billington, Gerard

DI02-5

Moscow, ID 83844-3162