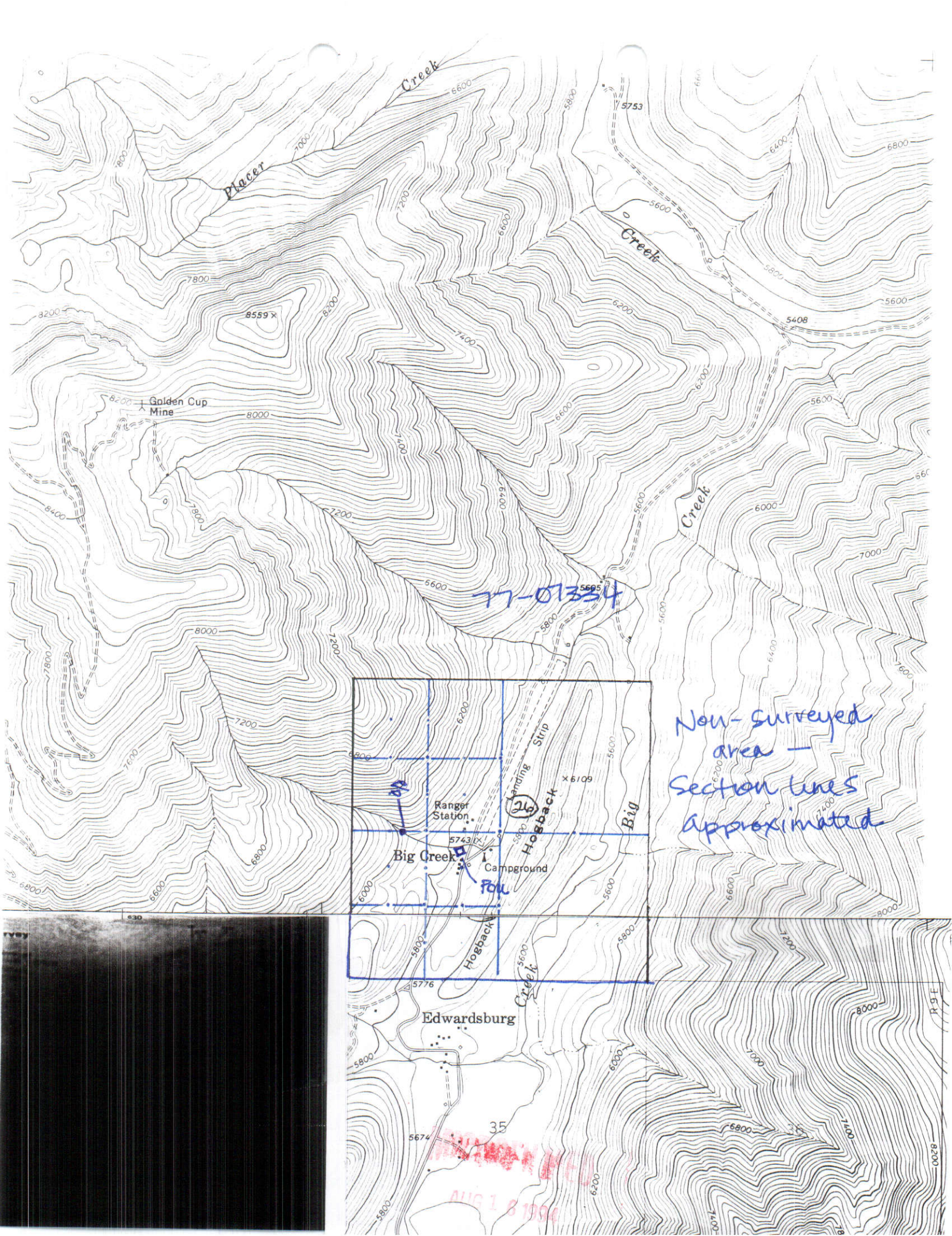
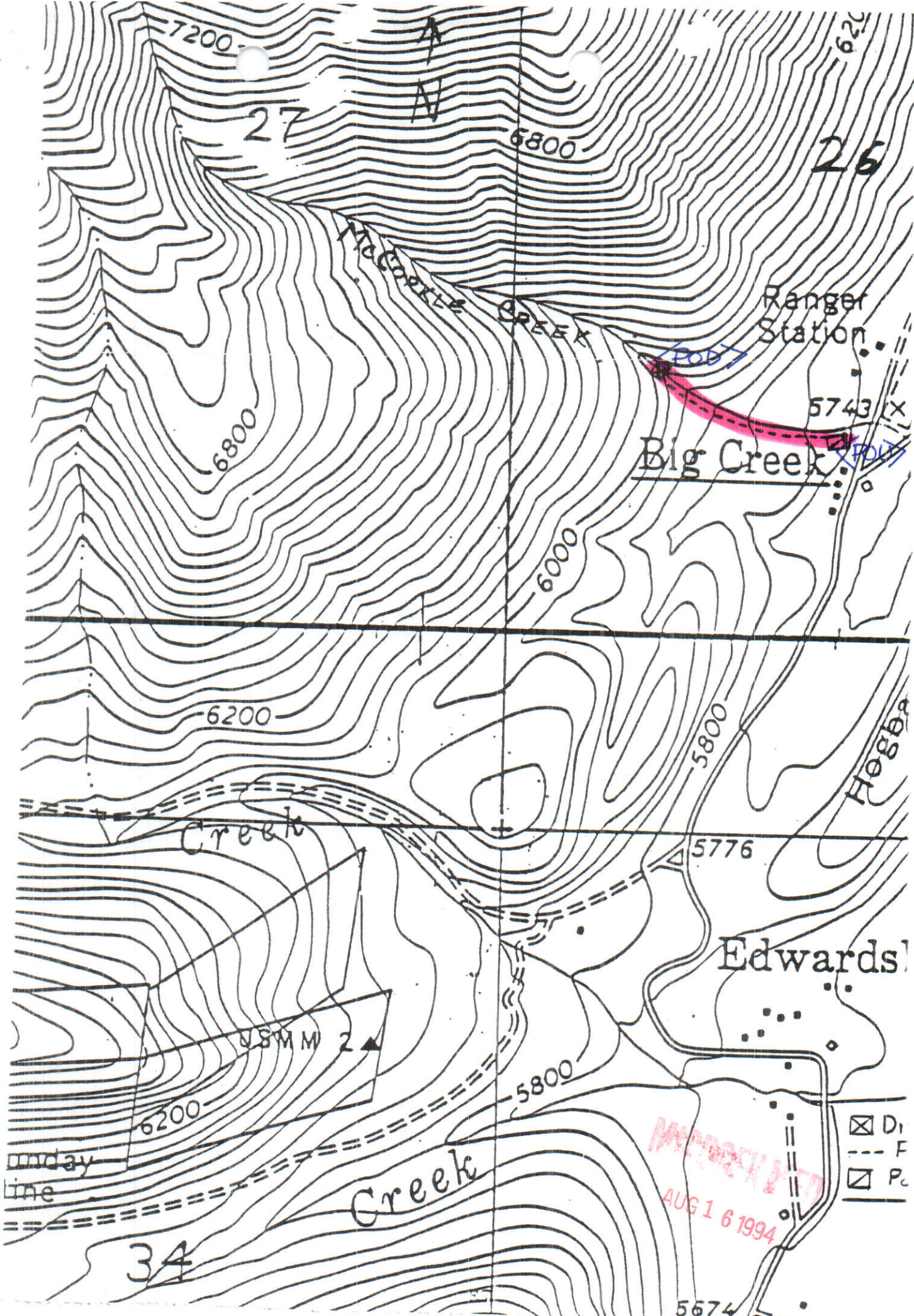




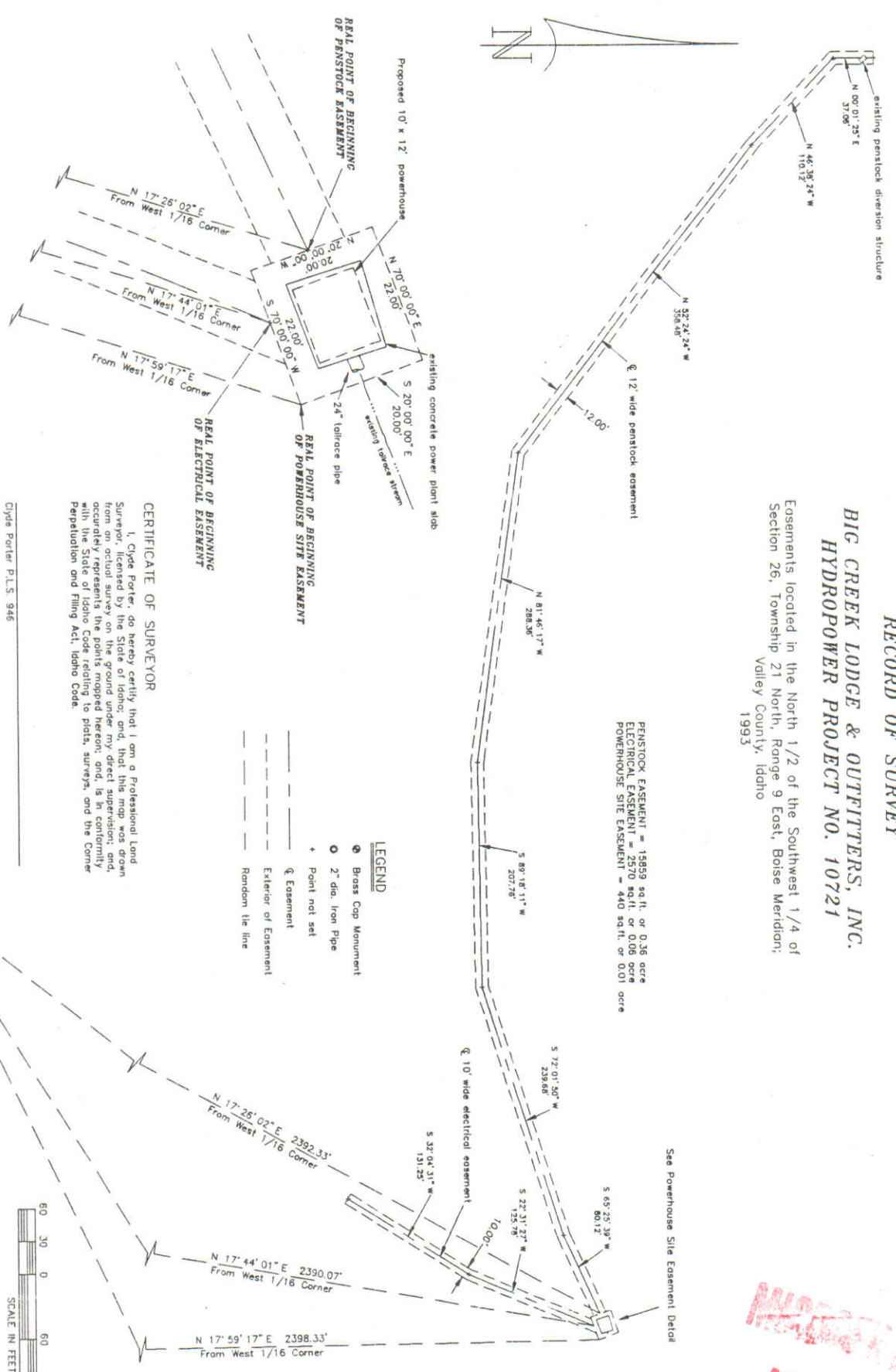


RECORD OF SURVEY BIG CREEK LODGE & OUTFITTERS, INC. HYDROPOWER PROJECT NO. 10721

Easements located in the North 1/2 of the Southwest 1/4 of Section 26, Township 21 North, Range 9 East, Boise Meridian, Valley County, Idaho 1993

PENSTOCK EASEMENT = 15659 sq. ft. or 0.36 acre
ELECTRICAL EASEMENT = 2570 sq. ft. or 0.06 acre
POWERHOUSE SITE EASEMENT = 440 sq. ft. or 0.01 acre

See Powerhouse Site Easement Detail



LEGEND

- Brass Cap Monument
- 2" dia. Iron Pipe
- + Point not set
- Easement
- Exterior of Easement
- Random tie line

CERTIFICATE OF SURVEYOR

I, Clyde Porter, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map was drawn from field notes taken by me or under my direct supervision, and that it accurately represents the points mapped hereon, and is in conformity with the State of Idaho Code relating to plats, surveys, and the Corner Repealment and Filing Act, Idaho Code.

Clyde Porter P.L.S. 946

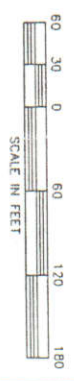
POWERHOUSE SITE EASEMENT DETAIL

Scale: 1" = 10'

BAISIS OF BEARING
S 89° 56' 00" E 1323.43'

27
26
34
35
Southwest Corner of Section 26, Round Brass Cap, C.P. & F. No. 180097

26
35
West 1/16 Corner common to Section 26 and 35, found 2" dia. Iron Pipe.



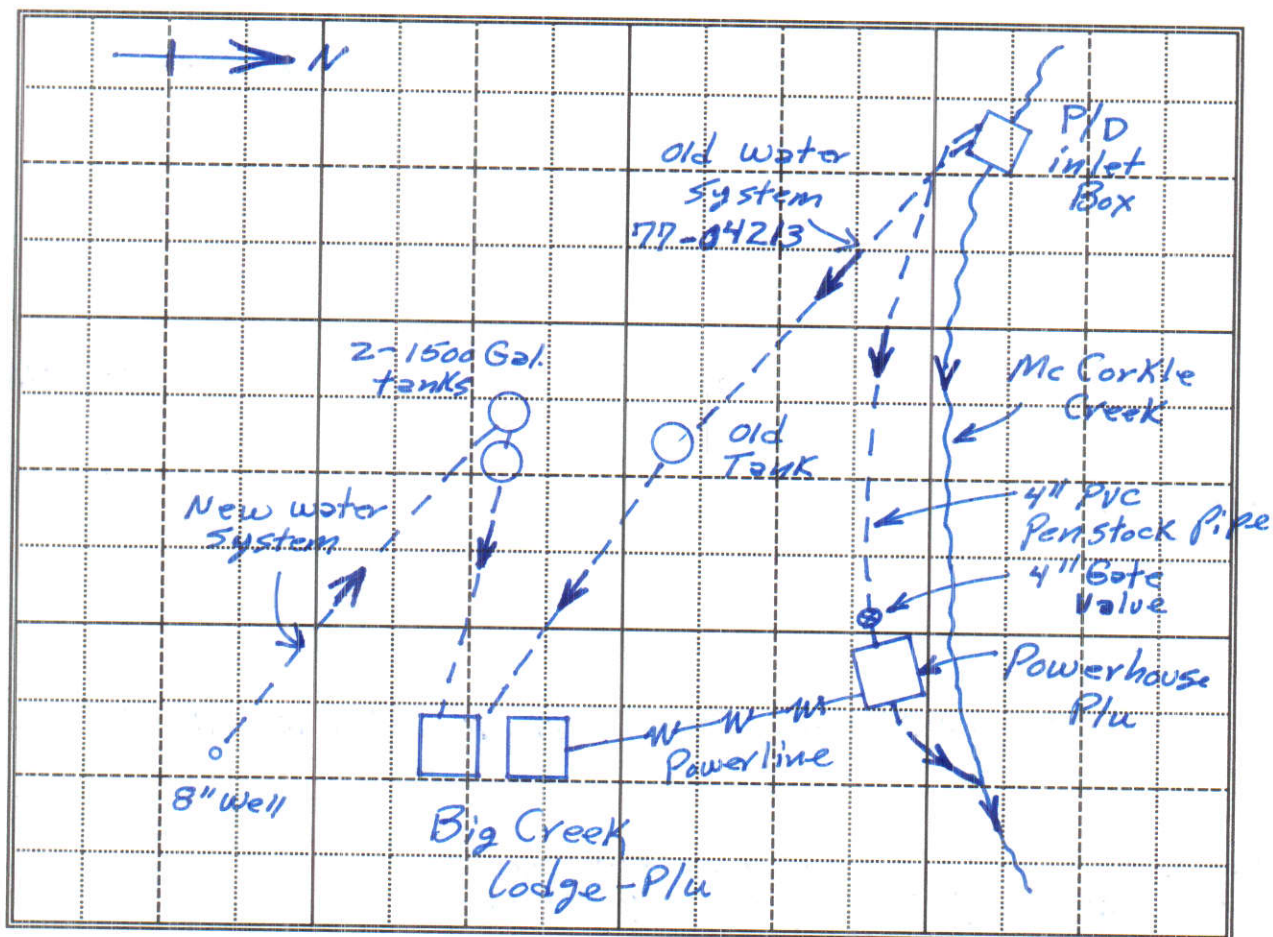
EASEMENT SURVEY PORTER'S LAND SURVEYING

Planning
Boise, Idaho
Job No. 8326 Date: 8-26-93

INDEX NO. 21-9-1-26-3-0-0-00-00

AUG 16 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Hydro Power Plant

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

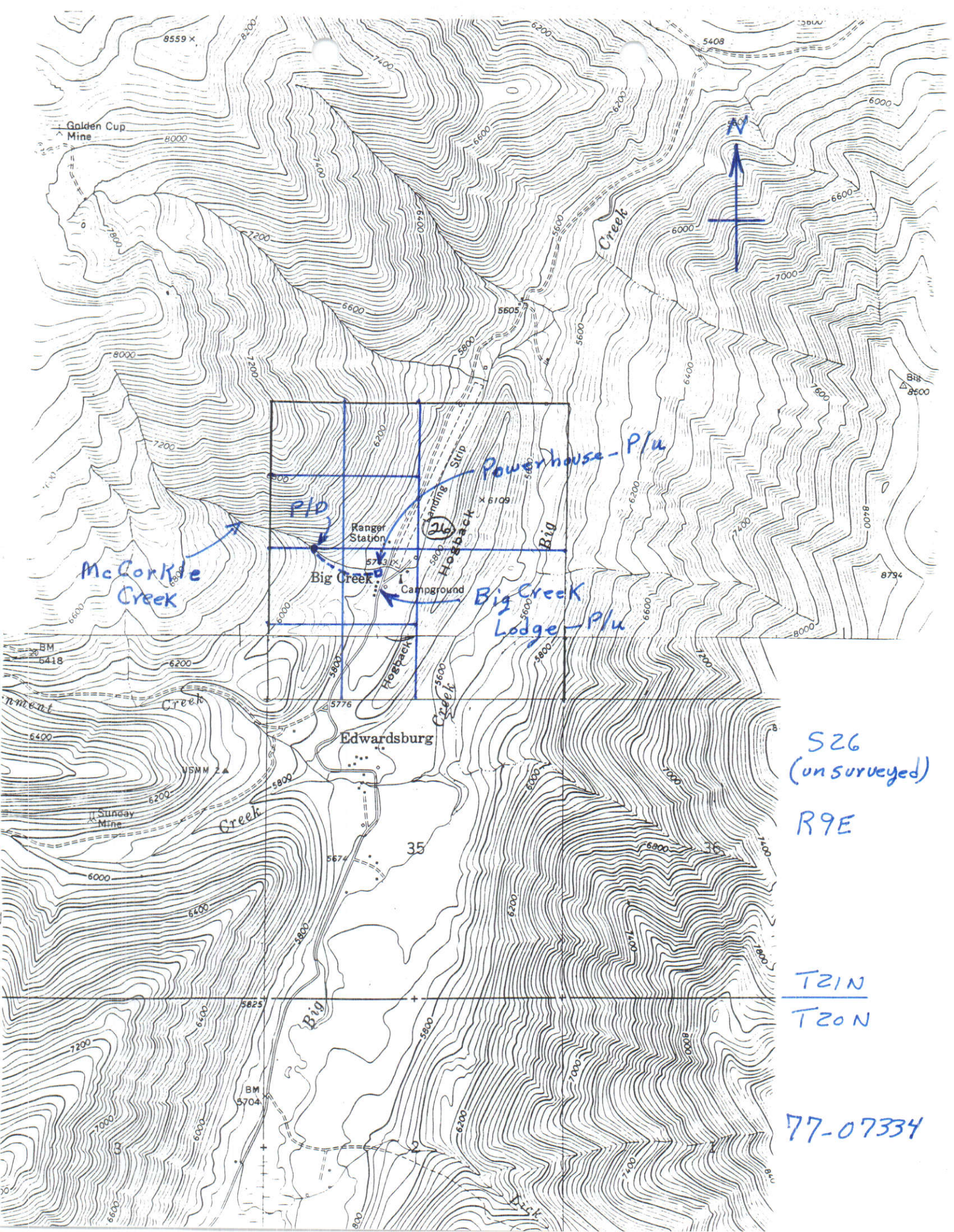
D. FLOW MEASUREMENTS

None taken

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None



S26
(unsurveyed)

R9E

T21N
T20N

77-07334

1 of 2

P/O
Inlet box
Structure
on
McCorkle
Creek.
View
Looking
East

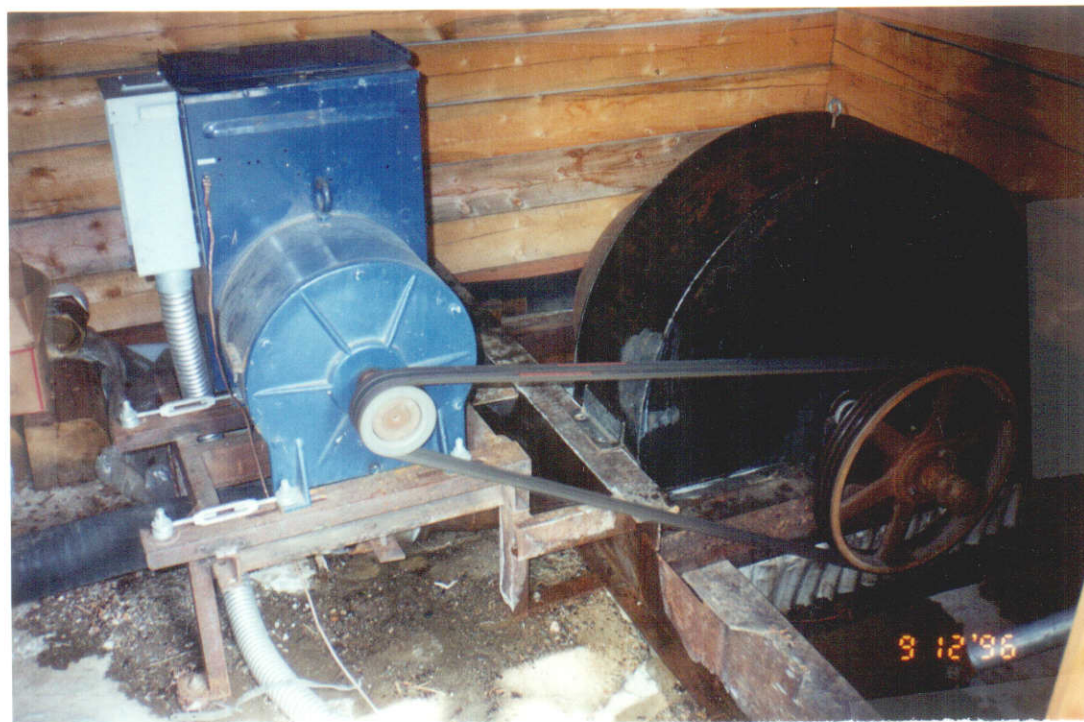


P/u
Powerhouse
on South
bank of
McCorkle
Creek.
View
Looking
Northeast.



77-07334

2 of 2



P/u
Pelton
Wheel
Turbine &
Dyna
Generator
in
Powerhouse.



P/u
(Power)
Big
Creek
Lodge.
View
Looking
North.

77-07334

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

} .ss

I, Ramona A. George, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHTS, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began April 7, 1994 and ended April 14, 1994.

Ramona A. George
Subscribed and sworn before me this the 14th day of April, 1994.

STATE OF IDAHO

COUNTY OF VALLEY

}

On this 14th day of April, in the year of 1994, before me, a Notary Public, personally appeared Ramona A. George, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1999

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

77-07334 ✓st

US DEPT OF AGRICULTURE
FOREST SERVICE
PAYETTE NATIONAL FOREST
PO BOX 1026

MCCALL, ID 83638
Source: UNNAMED STREAM
Tributary: BIG CREEK

Diversion Pt: SWNW Sec 26 T 21N R 09E
in VALLEY County.

NWSW Sec 26 T 21N R 09E in
VALLEY County.

Use: POWER (.750 CFS)

Total Diversion: (.750 CFS)

Date Filed: 2/23/1994

In: VALLEY County

T21N R09E S26 NESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before APRIL 25, 1994.

R. KEITH HIGGINSON, Director 2t4/14

RECEIVED

AUG 16 1994

ENCLOSURE II

LICENSE CONDITIONS NECESSARY FOR PROTECTION AND UTILIZATION OF THE
PAYETTE NATIONAL FOREST IN CONNECTION WITH THE APPLICATION FOR
LICENSE PROJECT NO. 10721

I. GENERAL

License articles contained in the Commission's Standard Form L-2 (revised October 1975) issued by Order No. 540, dated October 31, 1975, cover general requirements that the Secretary of Agriculture, acting by and through the Forest Service, considers necessary for adequate protection and utilization of the land and resources of the Payette National Forest. For the purposes of section 4(e) of the Federal Power Act (16 U.S.C. 797(e)), the purposes for which National Forest System lands were created or acquired shall be the protection and utilization of those resources enumerated in the Organic Administration Act of 1897 (30 Stat. 11), the Multiple-Use Sustained Yield Act of 1960 (74 Stat. 215), the National Forest Management Act of 1976 (90 Stat. 2949), and any other law specifically establishing a unit of the National Forest System or prescribing the management thereof (such as the Wilderness Act or Wild and Scenic Rivers Act), as such laws may be amended from time to time, and as implemented by regulations and approved Forest Plans prepared in accordance with the National Forest Management Act. Therefore, pursuant to said section 4(e) of the Federal Power Act, the following conditions covering specific requirements for protection and utilization of National Forest System lands shall also be included in any license issued.

II. STANDARD FOREST SERVICE PROVISIONS

Condition No. 1 - Requirement to Obtain a Forest Service Special-Use Authorization.

Within 6 months following the date of issuance of this license and before starting any activities the Forest Service determines to be of a land-disturbing nature, the Licensee shall obtain from the Forest Service a special-use authorization for the occupancy and use of National Forest System lands, and shall file that authorization with the Director, Office of Hydropower Licensing.

The Licensee may commence land-disturbing activities authorized by the license and special-use authorization 60 days following the filing date of such authorization, unless the Director, Office of Hydropower Licensing, prescribes a different commencement schedule.

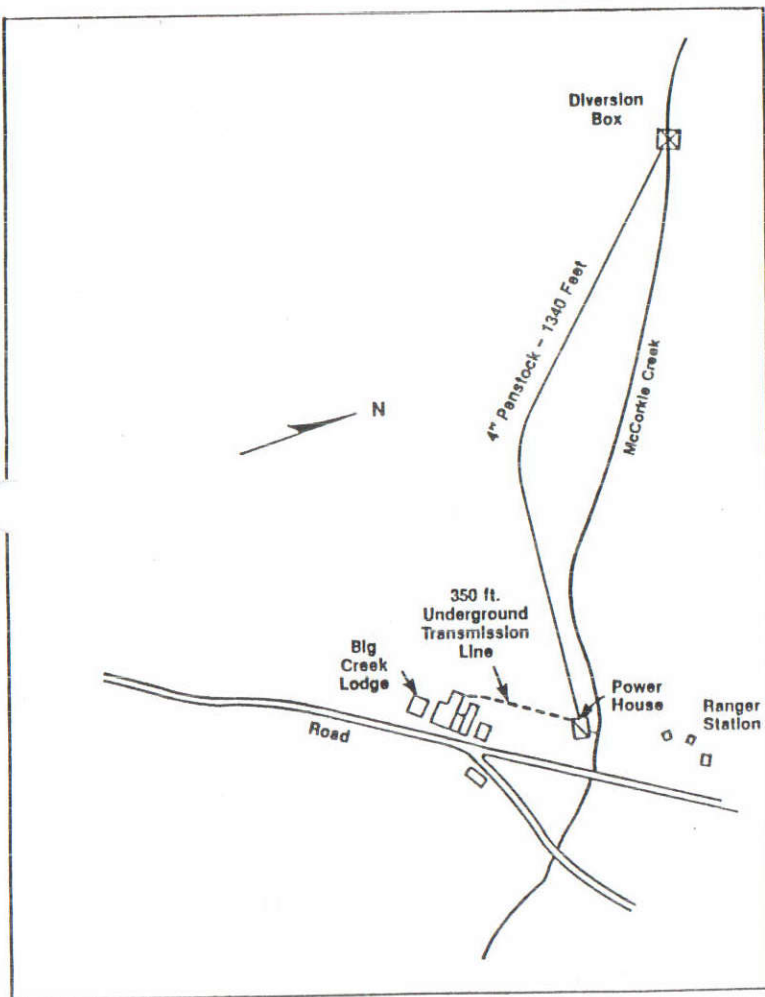


Figure 2. Location of the project features of the Big Creek Project, FERC No. 10721, Idaho (Source: Big Creek Lodge and Outfitters, Inc., 1991, amended application, as modified by the staff).

AUG 1 6 1994

Big Creek Lodge and Outfitters, Inc. 1991. Amended application for license for a minor water project, Big Creek Hydroelectric Project, No. 10721, Idaho. August 1991.

Forest Service. 1988. Final environmental impact statement, land and resources management plan, Payette National Forest, Idaho. 1988.

Green, T. 1991. Letter from Dr. Thomas Green, Deputy State Historic Preservation Officer, Idaho State Historical Society, Boise, Idaho. April 16, 1991.

Kaminski, T. and J. Hansen. 1984. Wolves of central Idaho. Montana Cooperative Wildlife Research Unit, U.S. Fish and Wildlife Service. Missoula, Montana. 196 pp.

Lobdell, C.H. 1990. Letter from C.H. Lobdell, Field Supervisor, U.S. Fish and Wildlife Service. Boise, Idaho. May 28, 1991.

Pepin-Donat, M. 1991. Letter from Margaret Pepin-Donat, Chief, Division of National Register Programs, National Park Service, San Francisco, California. June 11, 1991.

U.S. Fish and Wildlife Service. 1987. Northern Rocky Mountain wolf recovery plan. Denver, Colorado. 119 pp. 1987.

M. LIST OF PREPARERS

Name	Position
R. Joe Davis	Environmental Protection Specialist (Environmental Coordinator)
Roland George	Electrical Engineer
Chuck Hall	Engineer
Gaylord Hoisington	Soil Scientist
Roberta E. Hylton	Fisheries Biologist
John Mitchell	Editor
Edwin Slatter	Archeologist
Jerry W. Ziewitz	Wildlife Biologist

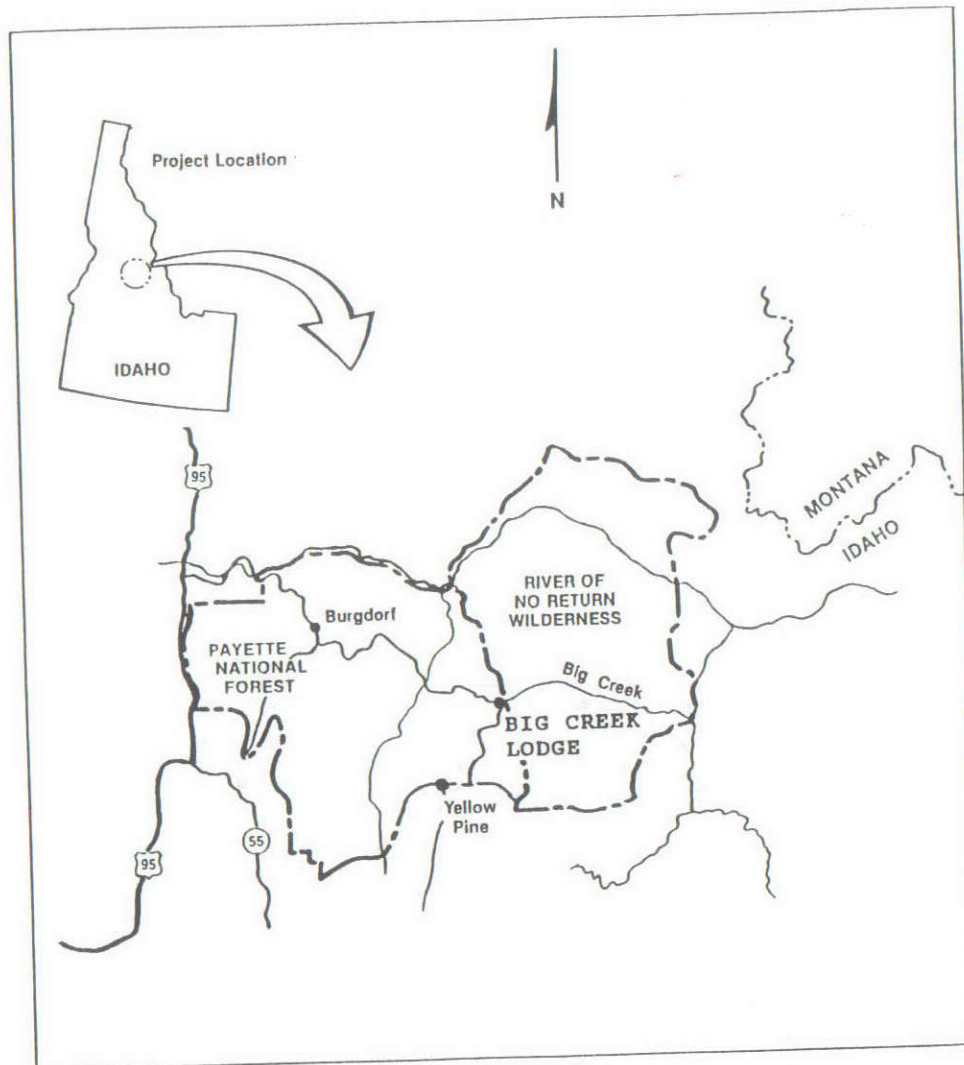


Figure 1. Location of the Big Creek Project, FERC No. 10721, Idaho (Source: Big Creek Lodge and Outfitters, Inc., 1991, amended application, as modified by the staff).

AUG 16 1994

WATER RESOURCES
WESTERN REGION
DEPAR

FOR OFFICE USE ONLY

Amt. of Fee \$: 100—

Receipt No. W030929

Receipt By: L.R.

Date Received: 5-28-96

DEPARTMENT OF WATER RESOURCES

MAY 30 1996

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder has complied with all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 77-0334 Telephone No. (208) 634-0600

2. Name(s) of Permit Holder(s): USDA, Forest Service, Payette National Forest

3. **Mailing Address:** P.O. Box 1026 McCall, Idaho 83638

4. Source of Water: Stream, trib of Big Crlf **GROUNDWATER** (well), Date Drilled: mo. / yr.

- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

- b. **OPTIONAL:**
 Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): Other: POWER

6. Total rate of diversion and/or volume for which proof is submitted: .75 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes X or No
Has the measuring device been installed? Yes or No X

Flow Measurement Port: Is a flow measurement port required? Yes X or No
Has the measurement port been installed? Yes or No X

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Clem Pop, Resource Specialist **Telephone Number:** (208) 634-0616

Address: Krassel Ranger District, P.O. Box 1026 McCall, Idaho 83638

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

United States of America Forest Service

Signature of permit holder: *[Signature]* Date: 5-23-96
(include your title, if on behalf of company or organization)

~~Dale~~ N. Bosworth, REGIONAL FORESTER

AUG 22 1996

MAY 26 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 77-07334

Name(s) of Permit Holder: USDA - FOREST SERVICE - Payette Natl Forest

Mailing Address: BOX 1026 McCall IDAHO 83638

Date Proof is Due: June 1, 1995 Telephone No. 208 634 0700

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

THE POWER HOUSE HAS BEEN RECONSTRUCTED, PER BUILDING PERMIT ISSUED BY VALLEY COUNTY. BIG CREEK LODGE & OUTFITTERS, INC IS UNDER SPECIAL USE PERMIT AND POWER WILL SERVE LODGE ON-SITE. Costing \$ 4500

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

UNABLE TO BRING POWER PLANT ON-LINE IN 1994.
BIG CREEK LODGE & OUTFITTERS, INC HAS PLANS TO COMPLETE NECESSARY WORK TO MAKE PLANT OPERATIONAL IN 1995.

Permit holder(s) request an extension to JUNE 1, 19 96

FEE: \$50.00

Ch. Ap. Reason Specialist for DR KRASSER RD
(Signature)* Payette NF.

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1996.

Signed this 7th day of June, 19 95

J. [Signature]
Chief, Water Allocation Bureau

JUN 14 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 77-07334

Proposed Priority: February 23, 1994 Maximum Diversion Rate: 0.75 CFS

This is to certify, that **US DEPT OF AGRICULTURE**
FOREST SERVICE
PAYETTE NATIONAL FOREST
PO BOX 1026
MC CALL ID 83638-1026

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **BIG CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
POWER	01/01 to 12/31	0.75 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 26, Township 21N, Range 09E
NWSW , Sec. 26, Township 21N, Range 09E
VALLEY County

PLACE OF USE: POWER

TWN RGE SEC

21N 09E 26 NESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1995.
2. Subject to all prior water rights.
3. A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.
4. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
5. The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

AUG 16 1994

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

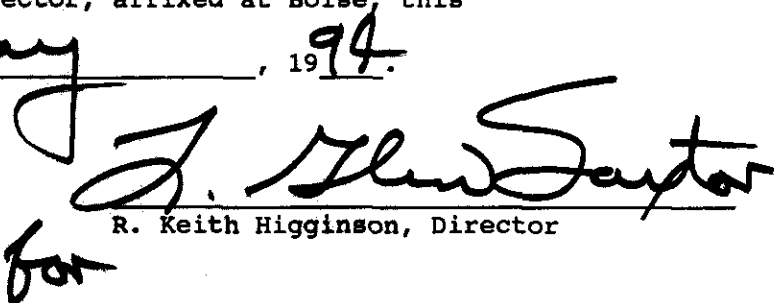
NO. 77-07334

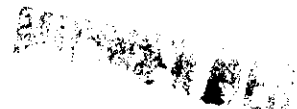
CONDITIONS/REMARKS:

6. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
7. Use of water under this right shall be non-consumptive.
8. The right holder shall either install a measuring device or a flow measurement port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer.
9. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
10. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
11. Single point of diversion on or near line between SWNW and NWSW, S26, T21N, R09E.
12. Source known locally as McCorkle Creek.
13. Power use is for Big Creek Lodge and Outfitters.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

25th day of May, 1994.

for

R. Keith Higginson, Director


AUG 16 1994

RECEIVED
MAY 13 1994

Ident. No. 77-07334

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: UNITED STATES OF AMERICA
Address: USFS PAYETTE NATIONAL FOREST
BOX 1026
MC CALL ID 83638
208-634-0796
2. Source: UNNAMED STREAM
Trib. to: BIG CREEK
3. Location of Point of Diversion: SWNW Sec. 26, Township 21N, Range 09E
NWSW Sec. 26, Township 21N, Range 09E
VALLEY County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
POWER	01/01	12/31	0.750		
5. Total quantity to be appropriated is:
0.750 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
DIVERSION DAM, 4" X 1340' PENSTOCK TO POWERHOUSE
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: POWER

TWN RGE SEC
21N 09E 26 NESW

AUG 16 1994

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Power use is for Big Creek Lodge and Outfitters.
Single point of diversion on or near tract line between SWNW and
NWSW Section 26.
Source known locally as McCorkle Creek.

11. Map of proposed point of diversion and place of use attached? ☒

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

See original
Applicant

Received by _____ Date _____ Time _____ Preliminary check by CJ4

Fee \$ 45.00 Receipted by _____ #W017197 Date 2/23/1994

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

AUG 16 1994

Comments: Date: 3/ 9/1994 User-ID: HODGES 77-07334

Subject:
ADDITIONAL INFO

SCA permit 77-S-175 pending.

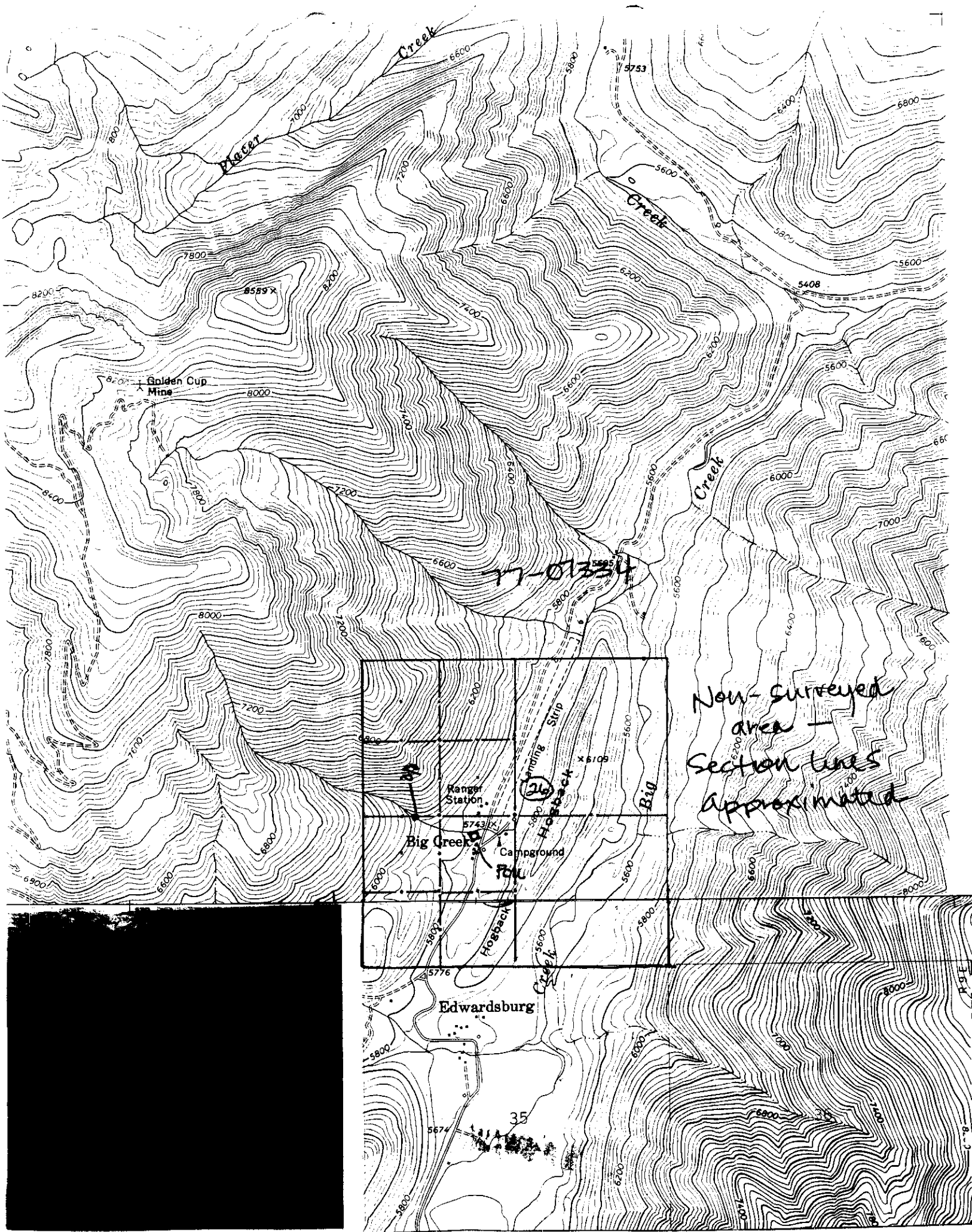
77-07157 used for irrigation and domestic at same location.

FERC license no. 10721-001 issued 3/27/92. Applicant solicited to provide proof this license still valid for this project.

Power use originally permitted to 77-07157 not developed because powerhouse destroyed by fire.

Big Creek Lodge operating under special use permit from USFS.

AUG 1 6 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 77-07334

RECEIVED

FEB 23 1994

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America Phone (208) 634-0796

Post office address USFS, Payette NF, Box 1026, McCall, ID 83638

2. Source of water supply unnamed stream ~~McCall Creek~~ which is a tributary of Big Creek

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of ~~SW~~ $\frac{1}{4}$, Govt. Lot

Sec. 26 Township 21N Range 9E B.M. Valley County; additional

points of diversion if any: NWSW Sec 26 - single point on tract line

4. Water will be used for the following purposes:

Amount .75 cfs for power purposes from 1/1 to 12/31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) .75 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Diversion dam with 4 inch diameter, 1,340 foot penstock to powerhouse

b. Height of storage dam 2 feet feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year).

AUG 16 1994

* per USGS mapping - Stream is unnamed

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. 50 Kwh/day; 250' head
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Power use is for Big Creek Lodge Outfitters.
Source known locally as McCortle Creek.

9. 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21N	9E	26									P								

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

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? US Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: SCA permit 77-S-175 pending AUG 16 1994

77-7157 for irrig & dam at same location

FERC license project NO. 10721-001 3/27/92

Big Creek Lodge operating under special use permit

A large grid of graph paper, consisting of 20 columns and 20 rows of squares. In the bottom right corner, there is a date stamp that reads "JUN 6 1994".

Rebecca Ball
for Forest Supervisor (Applicant)

Received by VR Date 2-23-94 Time 11:40 am Preliminary check by _____
Fee \$ 45.00 Receipted by VR # W017197 Date 2-23-94
Publication prepared by At Date 3-29-94 Published in Star News
Publication approved At Date 5-3-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

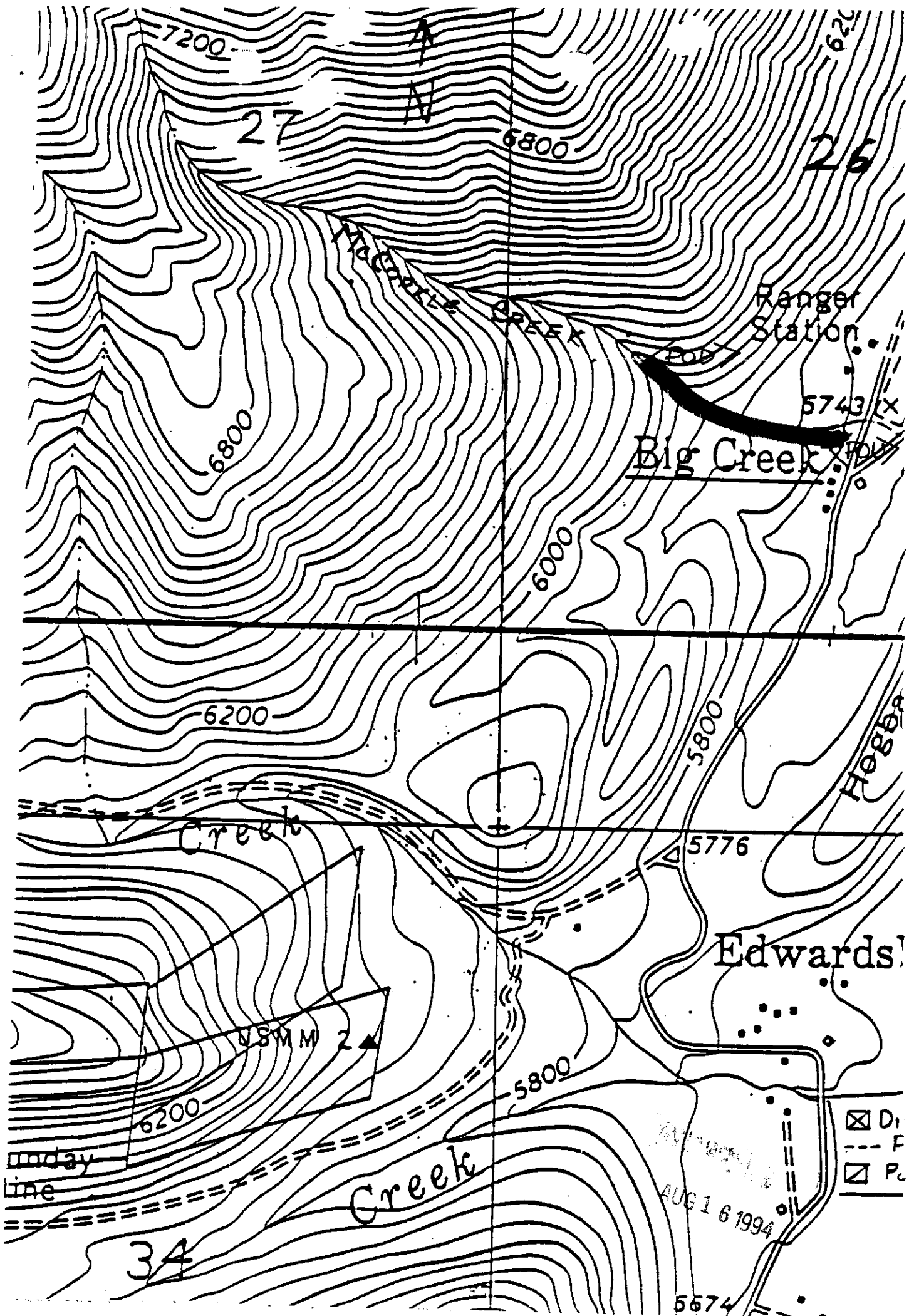
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:



AUG 16 1994



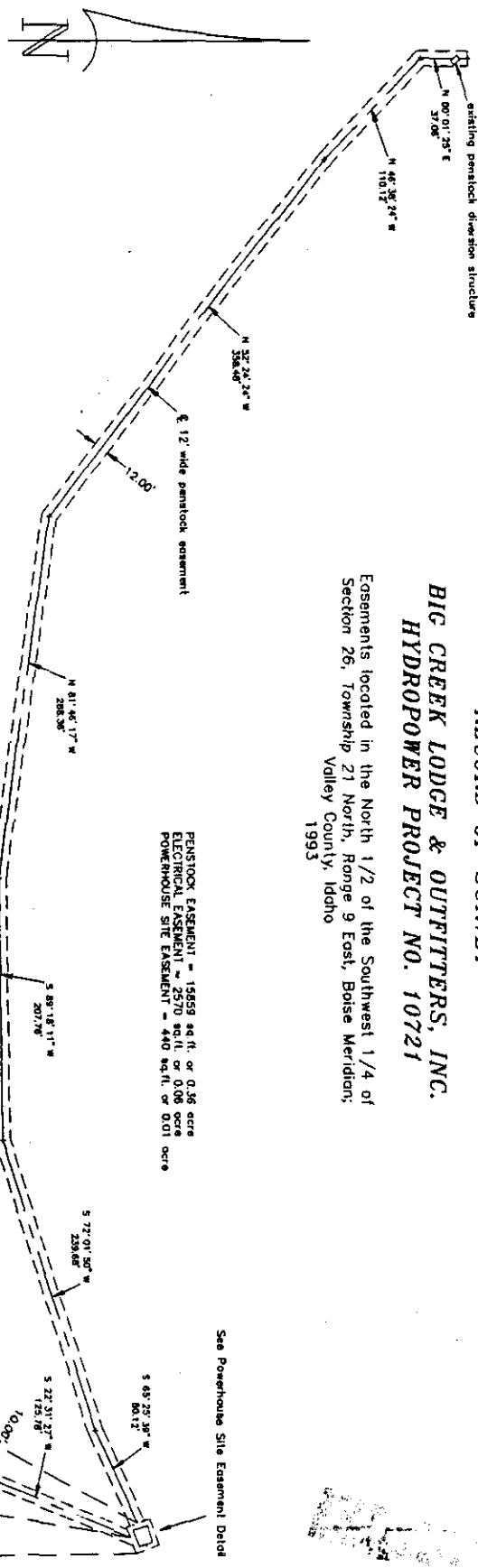
- ☒ D
- F
- ☒ P

AUG 16 1994

RECORD OF SURVEY

BIG CREEK LODGE & OUTFITTERS, INC. HYDROPOWER PROJECT NO. 10721

Easements located in the North 1/2 of the Southwest 1/4 of Section 26, Township 21 North, Range 9 East, Boise Meridian; Valley County, Idaho 1993



PENSTOCK EASEMENT = 15553 sq ft, or 0.36 acre
ELECTRICAL EASEMENT = 25710 sq ft, or 0.59 acre
POWERHOUSE SITE EASEMENT = 440 sq ft, or 0.01 acre

REAL POINT OF BEGINNING OF PENSTOCK EASEMENT

REAL POINT OF BEGINNING OF POWERHOUSE SITE EASEMENT

REAL POINT OF BEGINNING OF ELECTRICAL EASEMENT

LEGEND

- Brass Cap Monument
- 2" dia. Iron Pipe
- Point not set
- Easement
- Exterior of Easement
- Random tie line

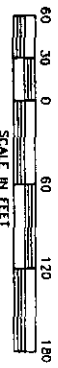
CERTIFICATE OF SURVEYOR

I, Clyde Porter, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho; and, that this map was drawn from an actual survey on the ground under my direct supervision; and, accurately represents the points mapped hereon; and, is in conformity with the State of Idaho Code relating to plats, surveys, and the Corner Repetition and Filing Act, Idaho Code.

Clyde Porter P.L.S. 946

POWERHOUSE SITE EASEMENT DETAIL

Scale: 1" = 10'



EASEMENT SURVEY

by
PORTER'S LAND SURVEYING

Planning
Boise, Idaho
Surveying
Date: 8-26-93

Job No. B326
INDEX NO. 21-9-1-26-3-0-0-00-00

AUG 16 1994

27
34
35

Southwest Corner of Section 26, Fourth Brass Cap, C.P. & F. No. 180997

BASE OF BEARING
S 89° 56' 00" E 1323.43'

26
35
West 1/16 Corner common to Sections 26 and 35, found 2" dia. Iron Pipe.

MAR 10 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 77-02334

1. Owner: U.S. Dept. of Agriculture, Service Phone No. (208) 634-0616

Current Address: Payette N.F., P.O. Box 1026, McCall, ID 83638-1026 Clem Fore

2. Accompanied by: Cliff Babbitt EXAM DATE: 9-12-96

Address: 610 Scott Hayes, President
Big Creek Lodge Outfitters, 2610 E. Starcrest Phone No. (208) 386-9219
Boise, ID 83712

Relationship to Permit Holder: Cliff B. is caretaker @ lodge;

3. Source: Unnamed Stream tributary to Big Creek ^{works for Scott Hayes.}

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 77-04204, 4.0 cfs, Power. Cancelled?

2. Other water rights with the same point of diversion: 77-04213, 0.1 cfs, Commercial.
(old water system for lodge & yard.)

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

77-04204, 4.0 cfs Power; This right should have been cancelled during a non-use period and/or Federal claim on water right.

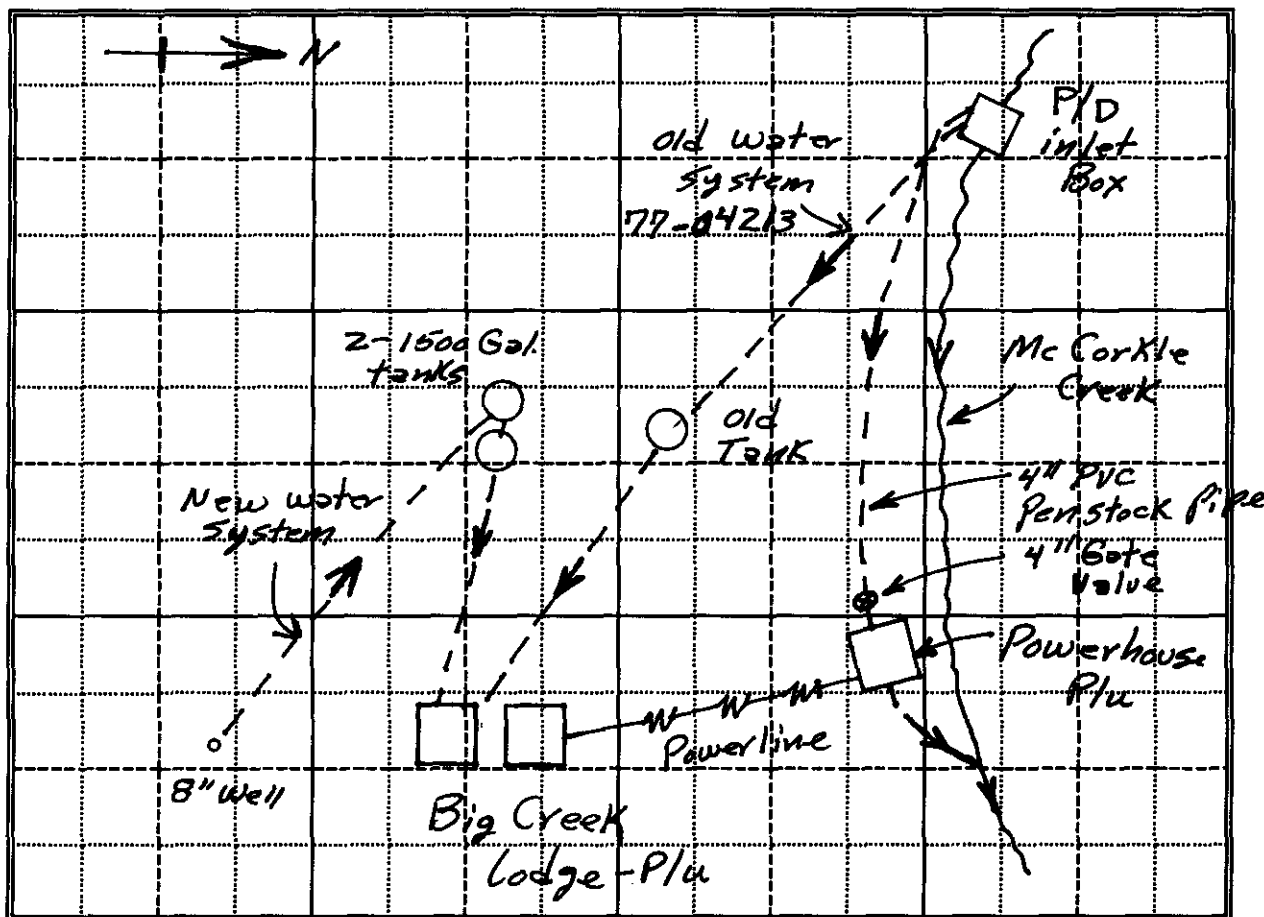
[illegible]

2. Place(s) of Use:

Indicate Method of Determination Site Visit, Map

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Hydro Power Plant

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS *None taken*

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None

E. NARRATIVE/REMARKS/COMMENTS

1. The Hydro Power Plant for Big Creek Lodge has FERC License #10721 with an order issuing date of March 27, 1992. The FERC License is for 22 KW with an estimated annual output of 10,000 KW-HR. The power facilities and lodge are located on Forest Service property and ^{are} operated under a special use permit by Big Creek Lodge Outfitters. The license expires in 2025.
2. Apparently, there was a period of non-use & conflict of ownership under the old water right, #77-04204. This right should have been cancelled. The power facilities were re-built and re-licensed (FERC 10721) after the period of non-use.
3. The power facilities consist of a wood box intake on McCorkle Creek, 1321' of 4" pvc pipe for the penstock, a 4" gate valve at the powerhouse, and a wooden powerhouse building containing a 36" Pelton wheel turbine and a 120 V Dyna Generator. The power output is controlled by regulating the water flow with the 4" gate valve. The power is used at the Big Creek Lodge facilities.
4. The wooden intake structure also is the P/D for water right 77-04213. A small (2"?) plastic pipe conveys water to an old storage tank, and then to the lodge. This system is still in use, and is supplemented by a new water system consisting of an 8" well and 2-1500 Gal. Storage tanks.
Have conditions of permit approval been met? ☐ yes ☒ no
Condition 8 not met - ^{no flow} measuring device ^{installed} or computation of flow furnished.
5. The power plant was operating at 10% power, (25% flow), at the time of the exam. The normal season of use is April 1 to Dec. 1 each year. The lodge is closed in the winter.

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: *No measurement. Calculated flow: H = 240'*

$$\text{Turbine HP} = \frac{22 \text{ KW}}{0.746 \frac{\text{KW}}{\text{HP}}} = 29.5 \text{ HP} = \frac{(Q)(H)(\gamma)}{\text{eff.}} \frac{\text{ft-lb}}{\text{sec.}} / \text{HP}$$

$$Q = \frac{(29.5 \text{ HP})(0.70)}{(240 \text{ ft.}) \left(\frac{62.4 \text{ lbs}}{\text{ft}^3} / 550 \frac{\text{ft-lb}}{\text{sec.}} / \text{HP} \right)} = \underline{\underline{0.76 \text{ cfs}}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

The water used by the powerplant flows back into the creek just below the powerhouse.

Non-Consumptive Use.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (ata)
	From	To		
<i>Power</i>	<i>01/01</i>	<i>12/31</i>	<i>0.75</i>	
Totals:			<i>0.75</i>	

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name *Jan Zornick* Date *12-13-96*

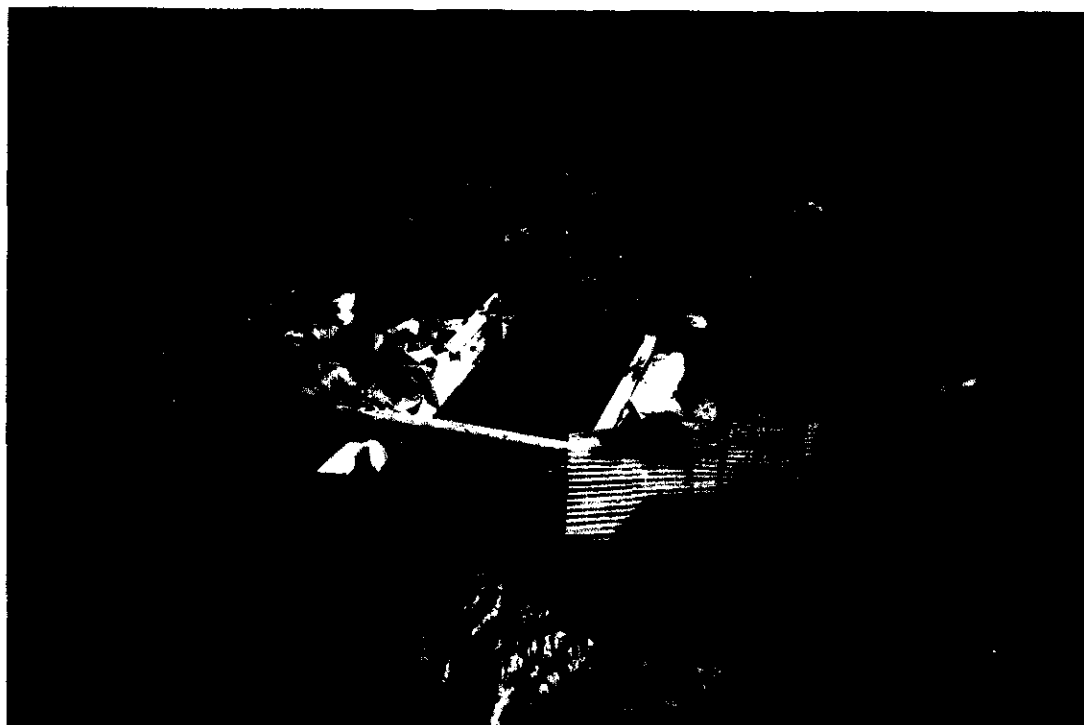
Reviewer _____ Date _____

SEAL

L of 2

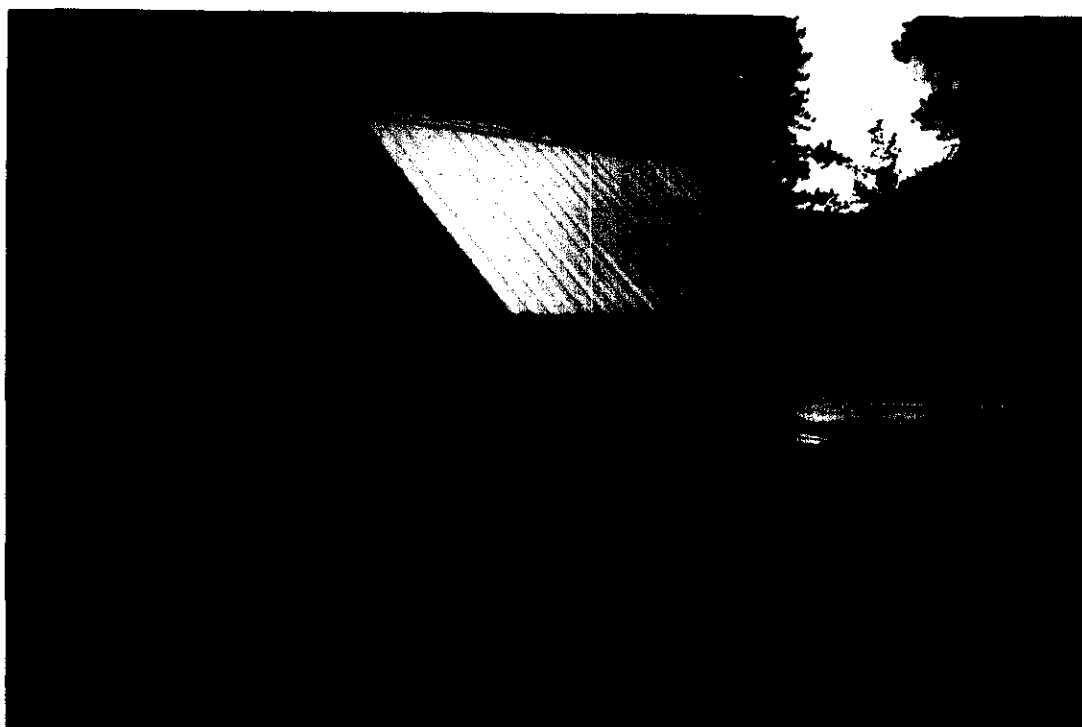
P/D
Inlet box
Structure
on
McCorkle
Creek.

View
Looking
East



P/u
Powerhouse
on South
bank of
McCorkle
Creek.

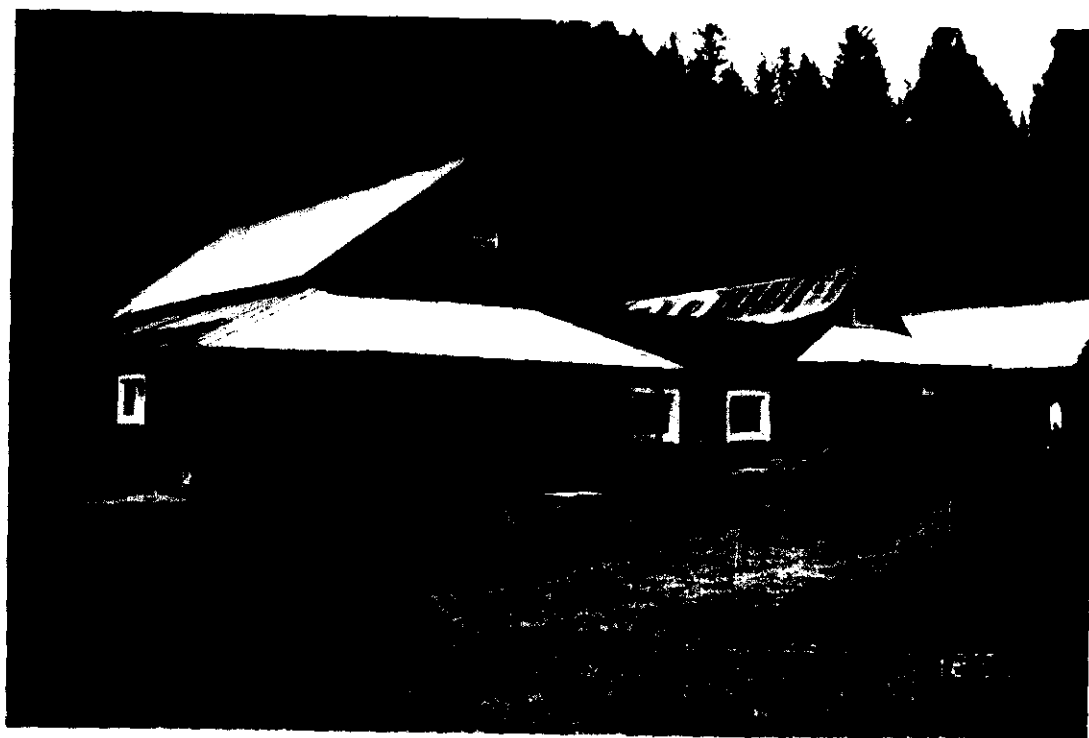
View
Looking
Northeast.



77-07334



P/u
Pelton
Wheel
Turbine &
Dyna
Generator
in
Powerhouse.



P/u
(Power)
Big
Creek
Lodge.
View
Looking
North.

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 77-0 7334 Reviewed by [Signature] Date 6-14-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

Power
Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?

☒ Copy in the file? Drilling Permit No. _____

☒ Amount paid for permit _____ Correct?

☒ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
100 Amount Submitted
yes Correct?

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [X] Proof Made 5-28-96



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 1996

USDA FOREST SERVICE
PAYETTE NATIONAL FOREST
PO BOX 1026
MCCALL ID 83638

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 77-07334

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning the field examination, contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

AUG 22 1996



United States
Department of
Agriculture

Forest
Service

Payette
National
Forest

P.O. Box 1026
McCall, ID 83638
(208) 634-0700

File Code: 2540

Date: May 22, 1996

RECEIVED

MAY 28 1996

**WATER RESOURCES
WESTERN REGION**

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

Greetings:

Enclosed is the Proof of Beneficial Use Application and required fee for Permit Application

#77-0334 in the Name of the USDA for Big Creek Lodge to be processed by your Department.

For further information, please contact Holly Becker at (208) 634-0795. Thank you for your

services.

Sincerely,

DAVID F. ALEXANDER
Forest Supervisor

Enclosure

cc:

H.Becker

RECEIVED

AUG 22 1996



March 31, 1996

US DEPT OF AGRICULTURE
FOREST SERVICE
PAYETTE NATIONAL FOREST
PO BOX 1026
MC CALL ID 836381026

PROOF DUE NOTICE

RE: PERMIT NO. 77-07334

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

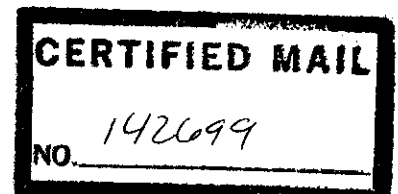
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 22 1996



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 77-07334 Reviewed by [Signature] Date 6-7-95

BASIC INFORMATION

5-26-95 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to June 1, 1996,
on basis of Due Diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X _____
Change Proof Due Date 6-1-96 _____
Change Priority Date X _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 7, 1995

USDA Forest Service
Payette National Forest
P.O. box 1026
McCall, ID 83638

RE: Permit No. 77-07334

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **June 1, 1996**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED

JUN 14 1995

March 31, 1995

US DEPT OF AGRICULTURE
FOREST SERVICE
PAYETTE NATIONAL FOREST
PO BOX 1026
MC CALL ID 836381026

PROOF DUE NOTICE

RE: PERMIT NO. 77-07334

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1995.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAIL ROOM

JUN 14 1995





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 26, 1994

US DEPT OF AGRICULTURE
FOREST SERVICE
PAYETTE NATIONAL FOREST
PO BOX 1026
MC CALL ID 836381026

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 77-07334

Dear Permit Holder:

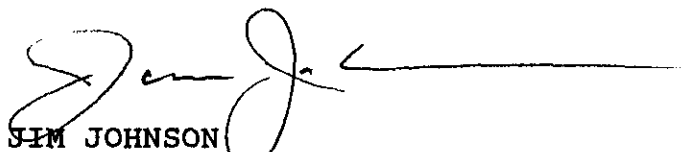
Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port, or to provide a certified measurement or computation of flow based upon the design of the system to be prepared by a professional engineer.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

RECEIVED

AUG 16 1994

JJ:dc

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

Application #: 77-7334 Name: Forest Service Date: 5/18/94

AREA OF CONCERN? - No/Yes s/c Mor _____ GWMA Trust/Non-trust
SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <flow chart>

Drilling Permit:

Included w/permit - Permit No. _____, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <flow chart>

LOCATION:

Water District(dem) - WD No. _____

*Surface water - 005 (req) 01J-P08 <flow chart>
(doesn't sink) or 01H-P01 <flow chart>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° Groundwater temp)

Swan Falls Flag - \$ <See condition code chart>

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)

Irrigation - 803(if GW use SW 1st)(+5A do POU comp), NA

Power - 08A-17K-025-027(req); 01F(MD) P19 09E(WQ) P10
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU) _____

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS:

REMARKS:

① Power use is for Big Creek Lodge Outfitters

② Source locally known as McCorkle Cr

③ W33

BENEFICIAL USE DUE:

- 6-1-1995

COMMENTS:

- ① Mor Ex ② Div Desc.

Water Right Number - ~~WFF~~-07334

Prefix Translation: PERMIT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

~~US~~ DEPT OF AGRICULTURE

1 - ~~FOREST~~ SERVICE

2 - PAYETTE NATIONAL FOREST

3 - PO BOX 1026

City- MC CALL

State- ID Zip- 836381026

Phone - 208-634-0796

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/23/1994 14 WESTERN P - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
UNNAMED STREAM BIG CREEK

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	Rflg	County			
21N	09E	26	SW NW NW SW			(85) VALLEY (85) VALLEY			

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
28 - POWER		01/01	12/31	0.750	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.750

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
21N	09E	26	NE SW			28 POWER		(85) VALLEY

+ - - Diversion Means - DIVERSION DAM, 4" X 1340' PENSTOCK TO POWERHOUSE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
Single point of diversion on or near line between SWNW and NWSW,
S26, T21N, R09E.
Source known locally as McCorkle Creek.
Power use is for Big Creek Lodge and Outfitters.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
030 - A separate stream alteration permit from the IDWR is required
- for any activity in the stream channel other than construction
- and/or maintenance of the diversion structure. If the proposed

Water right number - P77-07334

Prefix Translation: PERMIT

+ - - - - Conditions of Approval - - - - - +
(Condition continued from previous page)
- construction or operation involves construction of an outfall or
- any other work in the stream channel other than a water
- diversion, the right holder contact the Department and obtain a
- Stream Channel Alteration permit prior to the start of
- construction.
08A - This right is subject to the provisions of Sections 42-205
- through 42-210, Idaho Code, restricting the sale, transfer,
- assignment, or mortgage of this right. Failure to comply with
- these provisions is cause for immediate cancellation of this
- right.
17K - The water right acquired under this permit for hydropower
- purposes shall be junior and subordinate to all rights to the use
- of water, other than hydropower, within the State of Idaho that
- are initiated later in time than the priority of this permit and
- shall not give rise to any right or claim against future rights
- to the use of water, other than hydropower, within the State of
- Idaho initiated later in time than the priority of this permit.
025 - This right does not constitute Idaho Public Utilities Commission
- or Federal Energy Regulatory Commission approval that may be
- required.
027 - Use of water under this right shall be non-consumptive.
01F - The right holder shall either install a measuring device or a
- flow measurement port or provide a certified measurement or
- computation of flow based upon system design to be prepared by a
- professional engineer.
09E - Water used under this right if discharged into a natural
- channel or subsurface system shall meet Idaho Water Quality
- Standards.
17M - The Director retains jurisdiction of this right in order to
- limit the use of water for hydropower generation purposes to a
- specific term of years as required by Section 42-203B(7), Idaho
- Code.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 03/09/1994 User Id: HODGES Subject: ADDITIONAL INFO

SCA permit 77-S-175 pending.

FERC license no. 10721-001 issued 3/27/92. Applicant solicited
Power use originally permitted to 77-07157 not developed because
Big Creek Lodge operating under special use permit from USFS.

Date: 05/18/1994 User Id: CZIMMERM Subject: DIVERSION DESCRIPTION

Diversion dam with 4" by 1340' penstock to powerhouse.

Date: 05/18/1994 User Id: CZIMMERM Subject: MORATORIUM EXEMPTION

This permit is located within the Salmon/Clearwater Rivers
parameters of the moratorium guidelines.

77-07157 used for irrigation and domestic at same location.
to provide proof this license still valid for this project.
powerhouse destroyed by fire.

Moratorium boundary; however, its use is within the acceptable

+ - - Audit Fields - 05/18/94 CZIMMERM

Water right number - P77-07334

Prefix Translation: PERMIT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 06/01/1995	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- W0171900	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 02/23/1994	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: CJH DATE: 3/16/94 APPLICATION: 77-07334

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership or other entity, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:
N/A P/D
N/A P/U
Area Surveyed

RECEIVED
MAY 13 1994

ADDITIONAL INFORMATION

Department of Water Resources

YES NO

Overlapping place of use: (Describe source & relationship to present application on the back.)
Overlapping point of diversion:
Field check required: Field check by: _____
Field report attached:
Critical groundwater area:
Groundwater management area:
1992 moratorium Salmon River - see attached letter
Copy to SCA staff (perennial stream, non-pump diversion): SCA 77-S-175
Send dam safety information: Pending
Send power requirement letter: see attached
Send fish farm requirement letter:
Power residency affidavit: See attached
Power efficiency form:
Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
See attached.

DATE REQUESTED: 3/9/94

Additional information on reverse side:

PROCESSING

APPLICATION NO.

77-07334

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Comment to PUC? ask Dave.
 N/A (Not a PUC Regulated
 Power Grid)

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☒ ☐

Publication dates and paper recorded on application:

Protests received. Final date for protest 4-25-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dnr

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

01F, 08A, 09D, 17F, 17H, 25, 27, 30

See below for additional information

Recommended Date or Priority 2/23/1994Recommended by: DnrDate 5/12/1994STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATIONP/D o-laps are from same source but for other uses.P/U o-laps are for other uses at same location

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

} ss

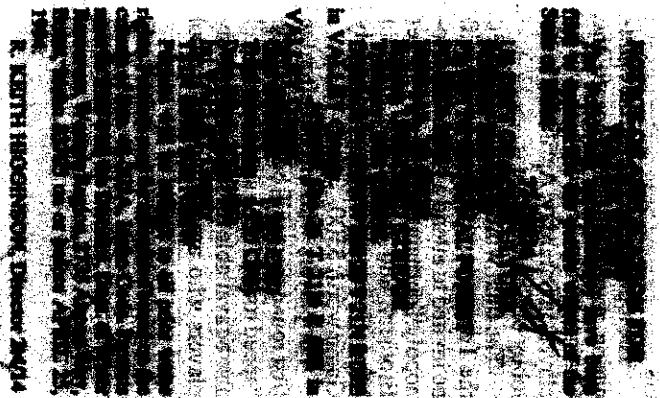
I, Ramona A. George, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHTS, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began April 7, 1994 and ended April 14, 1994.

Ramona A. George
Subscribed and sworn before me this 14th day of April, 1994.
STATE OF IDAHO

COUNTY OF VALLEY }

On this 14th day of April, in the year of 1994, before me, a Notary Public, personally appeared Ramona A. George, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote
Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1999



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AUG 16 1994



United States
Department of
Agriculture

Forest
Service

Payette
National
Forest

P.O. Box 1026
McCall, ID 83638

Reply to: 2540

Date: March 16, 1994

MS CINDY HODGES
DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082

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MAR 23 1994

WATER RESOURCES
WESTERN REGION

Dear Ms. Hodges:

The Forest is providing you with the information requested in your letter dated March 9 as follows:

1. Enclosure 1 is a copy of pertinent parts of a Biological Assessment prepared by the Forest that deals with ongoing activities in the Big Creek and Monumental Creek drainages. Enclosure 2 is an Operating and Maintenance Plan for the Big Creek hydropower project. Enclosure 3 is a copy of the Federal Energy Regulatory Commission License and Environmental Assessment.

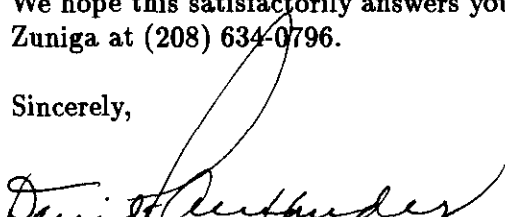
The conclusion of the FERC Environmental Assessment was that project had no game fish, including salmon, and did not pose a risk to the species. The Forest Biological Assessment concluded that the project was "not likely to adversely affect" and has sent the Assessment to the National Marine Fisheries for concurrence.

2. The "Affidavit For Water Rights To Be Used For Power Purposes" is completed as requested.

3. This project does not involve power for sale and hence is not regulated by the Public Utilities Commission.

We hope this satisfactorily answers your questions. For further assistance, please contact Randy Zuniga at (208) 634-0796.

Sincerely,


DAVID F. ALEXANDER
Forest Supervisor

Enclosures

cc:
R. Zuniga
Krassel Ranger District

MAR 23 1994

AUG 16 1994



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MAR 23 1994

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

77-7334

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:

N/A - Governmental Entity

I, David F. Alexander, Forest Supervisor of McCall,
(name) (city).

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

2. Corporation: N/A - Governmental Entity

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

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____

_____ : 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 _____
(city)

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

_____ 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.

David Alexander
Applicant Forest Supervisor, Payette National Forest

State of Idaho
County of Valley } ss.

On this 18th day of March, 19 94, personally appeared before me
the signer of the above instrument, who duly acknowledged to me that he ~~(she)~~ ~~(they)~~ executed the same.

Thomas E. Elliott
Notary Public residing at
McCall

My commission expires:

Dec. 15, 1998



NOTARY SEAL

AUG 16 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 9, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DAVID F ALEXANDER, FOREST SUPERVISOR
USFS PAYETTE NATIONAL FOREST
PO BOX 1026
MC CALL ID 83638

RE: Application for Permit No. 77-07334, Big Creek Lodge

Dear Mr. Alexander:

The above-referenced application for permit to appropriate the waters of McCorkle Creek for power generation was received on 2/23/94. The application has been reviewed and will be submitted for advertising. However, additional information is required before the application may be forwarded for final approval.

On 5/15/92, the Director of this agency declared a moratorium against the approval of certain new water right applications within the Salmon and Clearwater River basins. These restrictions were applied to protect anadromous fishery habitat and to aid in the recovery of endangered fish species. A copy of the moratorium Order is included for your review. Under moratorium condition nos. 5 and 7b (Order-page 3), exemptions are provided for those applications which are proposing non-consumptive uses and/or uses which do not adversely impact the migration of anadromous fish. Please forward to this office information showing evidence of insignificant consumption of water and plans for mitigation procedures to avoid reductions in flow for fish migration, as outlined in the above conditions.

Before the water right application can be approved, the enclosed Affidavit For Water Rights To Be Used For Power Purposes must also be completed and returned. Note that a notarized signature is required.

Hydropower generation in Idaho may be regulated by Idaho Public Utilities Commission (IPUC) and/or Federal Energy Regulatory Commission (FERC). See the attached pages that discuss the possible IPUC and/or FERC roles in power generation. A partial copy of a recent FERC license issued to Big Creek Lodge and Outfitters for hydropower generation is available for this project. Please provide documentation that this license is still valid for this project. Also provide information relative to requirements, if any, from IPUC. A water right application may be approved but not used for power generation until any applicable IPUC Certificate and/or FERC license is issued.

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3/9/94

Page 2

Gene Gibson of our Stream Channel Protection unit has resumed review and processing of joint application for stream channel alteration permit no. 77-S-175, also in the name of Big Creek Lodge. This permit is required for the construction of the power plant outfall structure and has been held pending the submittal of the water right filing. A copy of application no. 77-07334 will be placed in the stream channel file.

If you have any questions, please feel free to contact me or Mr. Gibson at 334-2190.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent

cc: Howard Manly, Big Creek Lodge and Outfitters

Enclosures (to USFS only)

AUG 16 1994



United States
Department of
Agriculture

Forest
Service

Payette
National
Forest

P.O. Box 1026
McCall, ID 83638

Reply to: 2540-1

Date: February 22, 1994

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

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FEB 23 1994

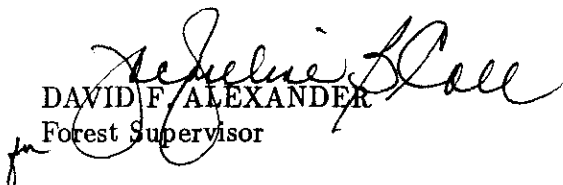
WATER RESOURCES
WESTERN REGION

Greetings:

Enclosed is an application for permit and filing fees for a water development at the Big Creek

Lodge on the Krassel Ranger District. Thank you for your services.

Sincerely,


DAVID F. ALEXANDER
Forest Supervisor

Enclosures

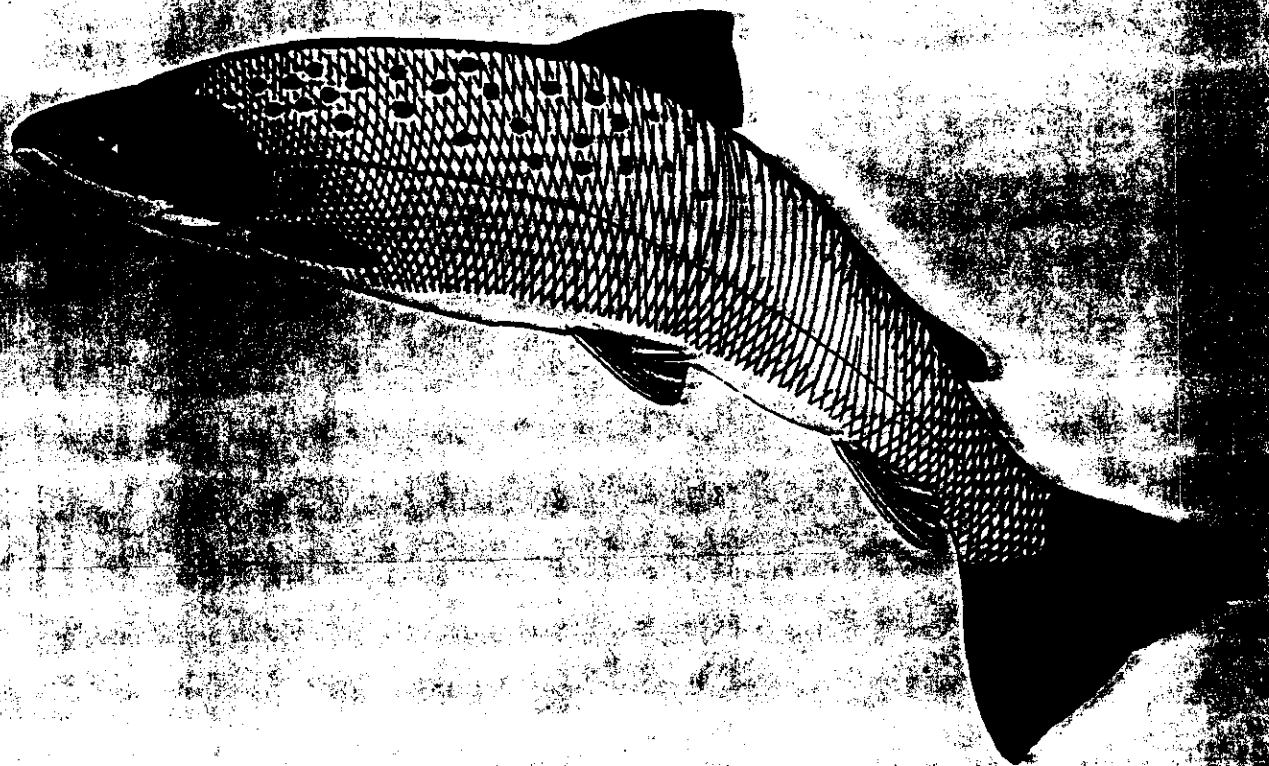
cc:
K. Waters



AUG 16 1994

**Biological Assessment
for
Spring/Summer Chinook Salmon**

**Middle Fork Salmon River Tributaries (NW)
and
Main Salmon River Tributaries (SE)**



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**Payette National Forest
1994**

Biological Assessment
Middle Fork Salmon River Tributaries (Northwest)
and
Main Salmon River Tributaries (Southeast)

Payette National Forest

Prepared by:

Mary Faurot
Mary Faurot
Fisheries Biologist

February 25, 1994
Date

Concurrence by:

David C. Burns
David C. Burns
Forest Fisheries Biologist

February 25, 1994
Date

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1. Large drilling rig and bulldozer: one round trip per season.
2. Fuel trucks, 2,000 gallon capacity: 1 - 2 trips per month.
3. 1 or 2 ton truck for hauling miscellaneous supplies: 1 -2 trips per month.
4. No new road construction was requested.

3. Special Uses

a. Outfitter/Guides

The federal action is the permitting of twelve commercial outfitter/guides to operate within the analysis area on National Forest System land (Table 9, Appendix L). Permit expiration dates are variable (Table 9). The operations primarily consist of trips for hunting, fishing, and sightseeing purposes into the backcountry. Designated centers of activity are "assigned camps" (Appendix A), where stock grazing and camping are permitted for commercial purposes. Each operation is inspected and graded annually by the Forest Service for permit compliance and resource protection. Resource protection subgrades range from Acceptable (A), Probationary (P), to Unacceptable (U). These permittees are responsible for compliance with all Federal laws and regulations including the Endangered Species Act and the 50 Code of Federal Regulations (CFR) 402 regulations.

b. Water Diversions - Hydropower

The federal action is the permitting of three residential, small-scale hydropower operations (0.3 - 0.8 cfs) are permitted on small streams within the upper Big Creek watershed on National Forest System land (Table 10, Appendix A, Appendix L).

c. Water Diversions - Irrigation/culinary

The federal action is the permitting of six water diversions (0.04 - 0.4 cfs each) on Government and Logan Creeks (upper Big Creek) on National Forest System land (Table 10, Appendix A, Appendix L).

4. Recreation - Trail and Recreational Site Maintenance

The federal action is the maintenance of National Forest System trails and recreational sites to keep them in condition suitable for use. There are 730 miles of Forest Service system trail within the analysis area. Characteristics and use levels vary (Appendix M). The Forest Service Trail Maintenance Management System is "a method to plan, schedule, perform, and evaluate the maintenance activities necessary to ensure the safety, protection, proper administration, and appropriate use of the forest trail system" (Forest Service Handbook (FSH) 2309.18). Maintenance on these trails and on dispersed roadside and trail recreation sites (camping, trailheads, day use areas) is

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Table 10: Special Uses Activity Summary - Big Creek Subwatershed Water and Hydro Diversions

Permit Holder	Diversion or Hydro Name	Permit Expiration Date	Permitted Activity	Stream Name(s)	cfs (Permitted/season)
C. Gillihan	Gillihan Diversion	12/31/97	domestic/ culinary/ irrigation	Logan Cr. Government Creek	dom. & irrig. total=0.11 irrig.=0.05(anytime)
Government Creek Water Users Association	Government Creek	12/31/97	domestic	Government Creek	dom=0.30 (4/1-12/1) total=0.30
Walter Hanson	Hanson Diversion	12/31/97	domestic/ irrigation	Logan Creek	dom.=0.04 (yr.round) irrig.=0.02 (4/15-10/15) total=0.06
C. Gillihan	No Name Hydro	10/31/96	domestic/ irrigation/ hydropower	No Name Creek	irrig.=.16 (4/15-10/15) hydro.=0.28 (yr.round) total=0.44
Bruce Minter	Minter Water	10/31/86	domestic	Government Creek	dom.=0.04 (yr.round)
Wilda Association % Jim Collard	Wilda Water Association	new 12/31/97	domestic/ irrigation	Government Creek	dom.=0.09 (yr.round) irrig.=0.18 (5/1-11/1) total=0.27
Ronald Vaughn	Flying W Hydroelectric	new 12/31/2008	hydropower	Lick Creek	dom.=0.04 (yr.round) hydro.=0.60 (yr round) total=0.64
Big Creek Lodge	Hydropower	12/31/2010	domestic/ irrigation/ hydropower	McCorkle Creek	hydro.=0.75 (yr.round) dom.=0.05 (yr.round) irrig.=0.08 (4/15-10/15) total=0.88

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impairment of infiltration of groundwater. All can result in decrease flows, which directly reduces living space habitat, or increased overland flows, which lead to high peak stream discharges that can 1) impact fish habitat by removing cover elements, and 2) increase channel size to transport the additional flow (Heede 1980).

Mining effects. Both mine processing projects in the Big Creek drainage divert small quantities of water to the millsites. At Velvet Quartz 0.05 cfs are permitted to be removed from an unnamed tributary of the North Fork of Smith Creek. Low flow discharge for mainstem Smith Creek is 11 cfs (August measurement) (Randy Zuniga, Payette National Forest, personal communication). At Walker Millsite, 0.6 cfs are permitted to be removed from the North Fork of Logan Creek (discharge of mainstem Logan Creek was 21 cfs, measured in July). It was observed that these diversions were less than 1% of the flows in affected streams (Mary Faurot, Payette National Forest, personal observation, field visit on June 29, 1993).

Water diversion (hydropower) effects. Hydropower diversions in the Big Creek drainage are located on small, high-gradient, fishless streams of 1-2 cfs. It was observed that these diversions were less than 1% of the flows in affected streams (Mary Faurot, Payette National Forest, personal observation, field visit August 24, 1993). However, McCork Creek (Big Creek Lodge Hydro), which has been highly modified by past channelization, has multiple diversions for hydro, irrigation, and culinary purposes. In low water years, this stream could potentially become dewatered, eliminating a source of cold water to one of Big Creek's primary spawning areas. Similarly, Lick Creek (Flying W Hydro) can be completely dewatered by an irrigation withdrawal on private land below the Flying W (John Gebhards, Payette National Forest, personal communication). Special Use Water Diversion inspection reports for 1993 are summarized in Appendix O.

Water diversion (irrigation/culinary) effects. Irrigation/culinary diversions on Logan and Government Creeks remove about 1.3 cfs from the drainage. Discharge for Logan Creek was 21 cfs, measured in July (not at true low flow); for Government Creek is 1.4 cfs (September measurement, true low flow) (Randy Zuniga, Payette National Forest, personal communication). These could impact chinook habitat in Logan/Government Creek during an extremely low flow year by reducing available wetted area. Though the diversions are located on National Forest System land, the permittees have water rights that entitle the users to their allocated flows. Special Use Water Diversion inspection reports for 1993 are summarized in Appendix O.

AUG 16 1994

- b. Construct rolling dips on access road.

2. Walker Millsite

- a. Seed, fertilize, and mulch all cut and fill slopes on all newly constructed access roads and terraces at or near the mill site (including powderhouse area).

3. Big Creek Lodge Hydropower (from Appendix O)

- a. Excavate, line with erosion cloth, and riprap the tailrace to McCorkle Creek.
- b. Install rolling dips or waterbars in access road from power plant to diversion.

4. Flying W Hydro (from Appendix O)

- a. Replace rock diversion with a permanent, screened structure that diverts only the licensed quantity of water and that can control water during the non-use period.

5. Minter Water Diversion (from Appendix O)

- a. Screen the intake.
- b. Repair lines so water is contained in pipes and not eroding the adjacent streambank.
- c. Stabilize gullies formed by leakage from broken water line.

6. Gillihan's Government Creek Diversion (from Appendix O)

- a. Reconstruct diversion so that only licensed amount of water is diverted from the stream channel.

7. Payette National Forest

a. Mining Lands and Roads

Conduct surveys of all system and non-system roads on federal land in upper Big, Monumental, and Marble Creek watersheds to evaluate road condition, erosion sources, cut/fill stability, reclamation bond status, maintenance needs, and obliteration needs with respect to impacts on fish habitat.

these aquatic systems, no more trend monitoring will be conducted unless new activity is initiated (Appendix E).

The Idaho Department of Lands and the USDA Forest Service monitor reclamation activities at Thunder Mountain with general inspections and photo point documentation. This effort will continue as outlined in the Large Mines Multi-agency Agreement (Appendix P).

Aquatic macroinvertebrates are surveyed annually in Marble Creek above and below Sunnyside Creek. Substrate is monitored annually at seven sites in Monumental Creek and six sites in Chamberlain Creek. The Challis National Forest inventoried fish habitat in Marble Creek in 1992.

Temperature is monitored at the mouths of major subwatersheds in the analysis area with recording thermographs. This activity began in 1993 and will continue.

System trails and recreational sites are monitored for maintenance needs by the wilderness recreation department. Water diversions are inspected for permit compliance on an annual basis. Outfitter/guides are inspected for permit compliance.

VII. Determinations

A. Summary

The determinations of effect are presented in Table 15.

B. Rationale

The phrase "Not Likely to Adversely Affect" (NLAA) means that where sources of man-caused mortality to chinook could reduce the capability of critical habitat to produce chinook salmon, the potential for adverse effects is considered to be negligible. These activities are not likely to adversely affect Snake River spring/summer chinook salmon or result in the destruction or adverse modification of critical habitat. The phrase "Beneficial Effect" (BE) means that the effects of the proposed or ongoing action will be beneficial to chinook salmon and habitat.

The three mining projects have a NLAA determination because they are small projects and are being mitigated to bring sediment production towards natural rates.

The two reclamation projects have a BE determination because they will benefit from final reclamation efforts designed to control sediment production and restore them to a more natural state. If left alone they would continue to cause sedimentation from ground disturbance and chemical risks from items abandoned at the sites. By doing the reclamation, erosion can be reduced. By using the Forest's approved standard mitigation measures and site-specific measures, there will be little or no increase in "short term" erosion and a significant drop in "long-term" erosion potential (Eubank: 1980, Weaver et al. 1987).

Handwritten: Approved
AUG 16 1994

Road maintenance for 1993-1998 has a NLAA determination because much of the road maintenance that is performed controls erosion that would result in sedimentation and altered flow to stream channels if not performed. The Road Use Permit to support exploratory drilling at Dewey Mine has a NLAA effect because of the nature and low frequency of haul, and due to the limited environmental alteration from the drilling activities.

Outfitter/guides has a NLAA determination due to its relatively low impact on chinook habitat in this analysis area. Localized impacts are monitored and Special Use compliance enforces resource protection.

Water diversions have a NLAA determination because they are small, seasonal operations that individually do not remove significant amounts of water from the streams.

Trail and recreation site maintenance from 1993-1998 have a BE determination because much of the maintenance performed controls erosion that would result in sedimentation and altered flow to stream channels if not performed.

A determination was made on all Forest Service actions whether the action met RHCA (Riparian Habitat Conservation Area) width criteria as defined by Forest Ecosystem Management Assessment Team (1993) (USDA Forest Service, BLM 1993) (Table 15). The Velvet Quartz Mine does not meet the criteria for RHCA width because the new settling pond will be located within 300 feet of historically occupied habitat, which will remove trees and affect the sediment filtering zone. The Walker Millsite does not meet the criteria for RHCA width because milling operations will be conducted within 300 feet of historically occupied habitat, with no effective sediment filtering zone. Permitting of Outfitter/Guide operations will not meet criteria for RHCA width due to localized ground-disturbing effects of human use and grazing within 300 feet of occupied habitat in some locations, affecting the effective sediment filtering zone. The two water diversion activities do not meet the criteria for RHCA width because diversion structures and operations (hydro) are located immediately adjacent to the streams, with no effective sediment filtering zones. All other Forest Service actions meet established RHCA width criteria.

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Table 15: Effects determinations and determinations of compliance with Riparian Habitat Conservation Area (RHCA) width criteria for activities within MFSR tributaries (NW) and Main Salmon River Tributaries (SE)

Project Type	Project Name	Determination	Meets RHCA Width Criteria
Mining	Fourth of July Mine	NLAA	Yes
	Velvet Quartz Mine	NLAA	No
	Walker Millsite	NLAA	No
	Freddy Cabin removal	BE	Yes
	Thunder Mountain reclamation	BE	Yes
Engineering	Road use permit - Dewey Mine	NLAA	Yes
	Road maintenance	NLAA	Yes
Special Uses	Outfitter/Guides	NLAA	No
	Water diversions-hydro	NLAA	No
	Water diversions-culinary/irrigation	NLAA	No
Recreation	Trail and recreation site maintenance	BE	Yes

NLAA = Not Likely to Adversely Affect

BE = Beneficially Effect

C. Improvement Over Base Period

Table 16 summarizes changes from the base period (1986-1990) in habitat conditions (1991-present). Table 17 summarizes changes from the base period in activities (1991-present and future) and their effects on habitat condition. Habitat conditions overall are not exhibiting an improving trend with the exception of cobble embeddedness in four tributaries to Big Creek (Jacobs Ladder, Logan, Smith, and Monumental Creeks), and in the West Fork of Chamberlain Creek. These data represent point measurements on portions of the overall watersheds to which the

Watershed	Activity	Change in activity level over or under that during base period	EC ¹	SA ²	SM ³	RM ⁴	HCI ⁵
Big Creek ▼	Big Creek road	Closed to vehicular traffic below Smith Creek in late 1986	X				Yes
	Water Diversions						
	Big Creek Lodge Hydro	None. Ongoing erosion of tailrace and access road	X				No
		Manage erosion at tailrace and access road				X	Yes
	Flying W Hydro	None. Diversion is unregulated	X				No
		Regulate the diversion				X	Yes
	Minter Water Diversion	System is in disrepair and causing erosion	X				No
		Repair system and control erosion				X	Yes
	Gillihan's Government Creek Diversion	New diversion with	X				No
		Reduce diversion				X	Yes
All (Big, Marble, Chamberlain Creeks, and Main Salmon River Tributaries) ▼	Outfitter/Guides						
	Level of use	None. Ongoing minimal, localized impacts	X				No
		Fish habitat survey of reserve camp areas, implement recommendations				X	Yes
	Level of resource protection	Has improved (inspection results)	X				Yes
	Trail and recreation site maintenance						
	General maintenance	None. Ongoing maintenance	X				Yes
	Management and level of human/stock use	None. Ongoing localized impacts	X				No
		Smith Creek riparian restrictions				X	Yes
		McCorkle Creek fencing, riparian restrictions				X	Yes

AUG 16 1994

Operating and Maintenance Plan for
Big Creek Lodge Hydropower Project

10/17/92

Exhibit
S126

The following Operating and Maintenance Plan is made in compliance with Paragraph 28 of the Special Use Permit Licensed Project for Big Creek Lodge & Outfitters, Inc., dated August 24, 1992.

1. The hydropower plant will consist of the existing facilities, all of which are in place and require no new construction, together with the addition of a new log building to enclose the pelton wheel and generator. Plans for the log building are annexed hereto, subject to the USFS approval and county building permit, as Exhibit A. A survey and legal description for the hydroplant and easements are annexed hereto as Exhibit B. The FERC License is annexed hereto as Exhibit C. The hydroplant consists of a diversion box on McCorkel Creek located about 1,300 feet above the generator/pelton wheel site. Water is diverted into a four inch pipe (penstock) at the diversion site and has a head (vertical drop) of 200 feet. The plant further consists of a pelton wheel and generator located at the lower site, together with two legs and a common (ground) line from the generator to the lodge. The hook-up was performed by a licensed electrician. The generator produces 22 KW's with both 120 and 240 voltage at 1,800 RPM and 60 hertz (cycles).

2. The plan is to seal the diversion box and install a new headgate and screen over the intake pipe at the diversion site. Rock rip-rap will be placed in the exhaust water ditch to prevent erosion.

3. Water bars will be installed on the diversion box access road and use of the road will be limited to servicing the hydroplant and lodge water system. The penstock already exists, eliminating any disturbance to the area.

4. The hydroplant will be operated on a continuous basis to produce electricity for the water pump, lights, lodge appliances and other equipment used in the commercial operation of the lodge.

5. Maintenance will consist of periodic greasing of the pelton wheel bearings, replacement of parts as needed and keeping the appropriate tension on the belts.

6. The generator will be monitored on a daily basis to maintain 1,800 RPM, 60 hertz (cycles) and 120 volts. The hertz are controlled by opening or closing the penstock valve located at the pelton wheel. When more KW's are required at the lodge, the penstock water flowing to the pelton wheel will be opened. Normal KW production requires less than full flow.

10/17/92

AUG 16 1994

7. The door to the hydropower building will be locked at all times and a sign will indicate danger, high voltage.

Dated this 26th day of August, 1993.

Big Creek Lodge & Outfitters, Inc.

By: Howard F. Manly
Howard F. Manly
President

AUG 16 1994

Project Design and Operation

The Big Creek Project is on McCorkle Creek, a tributary of Big Creek, 24 miles northeast of Yellow Pine in the County of Valley, Idaho.

The existing, nonoperating project consists of the following:

1. A 2-foot-wide by 3-foot-long by 2-foot-deep timber diversion structure diverting water from McCorkle Creek into a penstock
2. A 4-inch-diameter, 1,340-foot-long buried PVC penstock
3. A log powerhouse with a single pelton turbine and generator with a capacity of 22 kw
4. An 18-inch-diameter, corrugated metal pipe tailrace which returns project flows back to McCorkle Creek
5. A 350-foot-long underground electrical cable from the powerhouse to the Big Creek Lodge.

The project, which is manually operated, will be used intermittently a total of about 200 days per year to meet an average demand of 50 kWh/day--producing about 10,000 kWh of energy annually.

The license for the Big Creek Project should include the 120/240-Volt generator leads, the 350 foot-long cable, the existing distribution system, and appurtenant facilities.

Dam Safety

The project has no dam and no hydraulic structure that creates any significant threat to public safety.

Water Resource Planning and Comprehensive Development

The project develops energy from a flow of 0.75 cfs diverted to McCorkle Creek and providing a gross head of 237 feet. McCorkle Creek is a high gradient mountain stream with a drainage area of about 3 square miles. It is reported in the application to have a mean annual flow of 3 cfs. The project has no storage; it operates in a run of river mode with manual control.

Energy developed by the project would be used for domestic purposes at the Big Creek Lodge facilities. The remote location of these facilities precludes economical connection to a local electrical utility.

None of the agencies commenting on the application had any alternatives to recommend or concerns requiring an engineering or economic evaluation.

Federal and state agencies filed 26 comprehensive plans discussing various resources in Idaho. Of these, we identified four plans relevant to this project. No conflicts were found.

Our review of the Commission's Hydroelectric Site Data Base shows the project wouldn't conflict with any proposed or existing projects.

Project Economics

This is an existing project being put back into operation at the expense of the owner/applicant and for the exclusive use of the owner/applicant. The energy benefits of the project would exceed the operating cost.

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Notwithstanding the authorizations granted under the Federal Power Act, National Forest System lands within the project boundaries shall be managed by the Forest Service under the laws, rules, and regulations applicable to the National Forest System. The terms and conditions of the Forest Service special-use authorization are enforceable by the Forest Service under the laws, rules, and regulations applicable to the National Forest System. The violation of such terms and conditions also shall be subject to applicable sanctions and enforcement procedures of the Commission at the request of the Forest Service. In the event there is a conflict between any provisions of the license and Forest Service special-use authorization, the special-use authorization shall prevail on matters which the Forest Service deems to affect National Forest System resources.

Condition No. 2 - Forest Service Approval of Final Design

Before any construction of the project occurs on National Forest System land, the Licensee shall obtain the prior written approval of the Forest Service for all final design plans for project components which the Forest Service deems as affecting or potentially affecting National Forest System resources. The Licensee shall follow the schedules and procedures for design review and approval specified in the Forest Service special-use authorization. As part of such prior written approval, the Forest Service may require adjustments in final plans and facility locations to preclude or mitigate impacts and to assure that the project is compatible with on-the-ground conditions. Should such necessary adjustments be deemed by the Forest Service, the Commission, or the Licensee to be a substantial change, the licensee shall follow the procedures of Article 2 of the license. Any changes to the license made for any reason pursuant to Article 2 or Article 3 shall be made subject to any new terms and conditions of the Secretary of Agriculture made pursuant to section 4(e) of the Federal Power Act.

Condition No. 3 - Approval of Changes After Initial Construction

Notwithstanding any Commission approval or license provisions to make changes to the project, the licensee shall get written approval from the Forest Service prior to making any changes in the location of any constructed project features or facilities, or in the uses of project lands and waters, or any departure from the requirements of any approved exhibits filed with the Commission. Following receipt of such approval from the Forest Service, and at least 60 days prior to initiating any such changes or departure, the Licensee shall file a report with the Commission describing the changes, the reasons for the changes, and showing the approval of the Forest Service for such changes. The licensee shall file an exact copy of this report with the Forest Service at the same time it is filed with the Commission. This article does not relieve the Licensee from the amendment or other requirements of Article 2 or Article 3 of this License.

Condition No. 4 - Consultation

Each year during the 60 days preceding the anniversary date of the license, the Licensee shall consult with the Forest Service with regard to measures needed to ensure protection and development of the natural resource values of the project area. Within 60 days following such consultation, the Licensee shall file with the Commission evidence of the consultation with any recommendations made by the Forest Service. The Commission reserves the right, after notice and opportunity for hearing, to require changes in the project and its operation that may be necessary to accomplish natural resource protection.

III. OPTIONAL FOREST SERVICE PROVISIONS

A. FISH AND WILDLIFE RESOURCE MANAGEMENT

Condition No. 5 - Minimum Streamflow Requirement

1. Flow conditions are subject to the existing water rights of .75 cubic feet per second during the operating season held by the US Department of Agriculture, Forest Service, for power purposes subject to the provisions of Section 42-205 through 42-210 Idaho Code.

2. During the construction and operation of the facilities authorized by this license, the Licensee shall not divert more than 50 percent of the instantaneous flow from the stream as determined by reserved flows at the penstock diversion from McCorkle Creek.

Condition No. 6 - Project Boundary Description

Within 1 year following the date of issuance of this license, the Licensee shall cause to be conducted a survey of project boundaries enclosing all project works and other features that are to be licensed and excluding all recreation and Forest Service administrative facilities. Upon completion of the survey, a plat of the survey information shall be provided to the Commission and to the Forest Service and the project boundary description shall be adjusted accordingly.

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ENCLOSURE

LICENSE CONDITIONS NECESSARY FOR PROTECTION AND UTILIZATION OF THE
PAYETTE NATIONAL FOREST IN CONNECTION WITH THE APPLICATION FOR
LICENSE PROJECT NO. 10721

I. GENERAL

License articles contained in the Commission's Standard Form L-2 (revised October 1975) issued by Order No. 540, dated October 31, 1976, cover general requirements that the Secretary of Agriculture, acting by and through the Forest Service, considers necessary for adequate protection and utilization of the land and resources of the Payette National Forest. For the purposes of section 4(e) of the Federal Power Act (16 U.S.C. 797(e)), the purposes for which National Forest System lands were created or acquired shall be the protection and utilization of those resources enumerated in the Organic Administration Act of 1897 (30 Stat. 11), the Multiple-Use Sustained Yield Act of 1960 (74 Stat. 215), the National Forest Management Act of 1976 (90 Stat. 2949), and any other law specifically establishing a unit of the National Forest System or prescribing the management thereof (such as the Wilderness Act or Wild and Scenic Rivers Act), as such laws may be amended from time to time, and as implemented by regulations and approved Forest Plans prepared in accordance with the National Forest Management Act. Therefore, pursuant to said section 4(e) of the Federal Power Act, the following conditions covering specific requirements for protection and utilization of National Forest System lands shall also be included in any license issued.

II. STANDARD FOREST SERVICE PROVISIONS

Condition No. 1 - Requirement to Obtain a Forest Service Special-Use Authorization.

Within 6 months following the date of issuance of this license and before starting any activities the Forest Service determines to be of a land-disturbing nature, the Licensee shall obtain from the Forest Service a special-use authorization for the occupancy and use of National Forest System lands, and shall file that authorization with the Director, Office of Hydropower Licensing.

The Licensee may commence land-disturbing activities authorized by the license and special-use authorization 60 days following the filing date of such authorization, unless the Director, Office of Hydropower Licensing, prescribes a different commencement schedule.

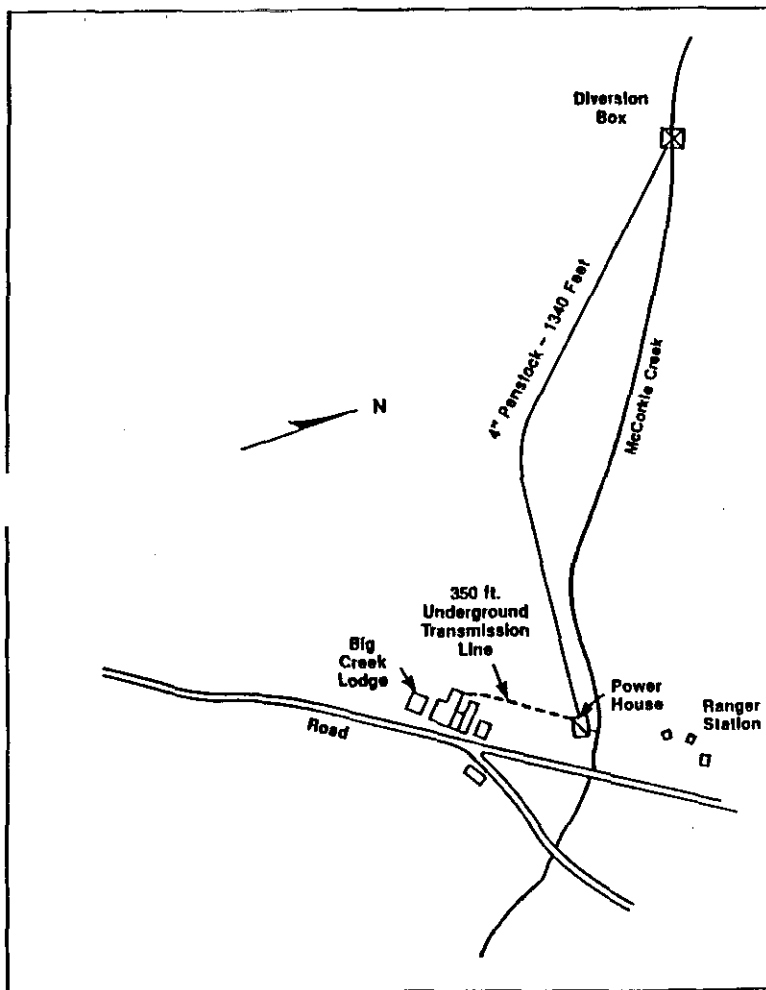


Figure 2. Location of the project features of the Big Creek Project, FERC No. 10721, Idaho (Source: Big Creek Lodge and Outfitters, Inc., 1991, amended application, as modified by the staff).

Big Creek Lodge and Outfitters, Inc. 1991. Amended application for license for a minor water project, Big Creek Hydroelectric Project, No. 10721, Idaho. August 1991.

Forest Service. 1988. Final environmental impact statement, land and resources management plan, Payette National Forest, Idaho. 1988.

Green, T. 1991. Letter from Dr. Thomas Green, Deputy State Historic Preservation Officer, Idaho State Historical Society, Boise, Idaho. April 16, 1991.

Kaminski, T. and J. Hansen. 1984. Wolves of central Idaho. Montana Cooperative Wildlife Research Unit, U.S. Fish and Wildlife Service. Missoula, Montana. 196 pp.

Lobdell, C.H. 1990. Letter from C.H. Lobdell, Field Supervisor, U.S. Fish and Wildlife Service. Boise, Idaho. May 28, 1991.

Pepin-Donat, M. 1991. Letter from Margaret Pepin-Donat, Chief, Division of National Register Programs, National Park Service, San Francisco, California. June 11, 1991.

U.S. Fish and Wildlife Service. 1987. Northern Rocky Mountain wolf recovery plan. Denver, Colorado. 119 pp. 1987.

M. LIST OF PREPARERS

Name	Position
R. Joe Davis	Environmental Protection Specialist (Environmental Coordinator)
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Chuck Hall	Engineer
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Jerry W. Ziewitz	Wildlife Biologist

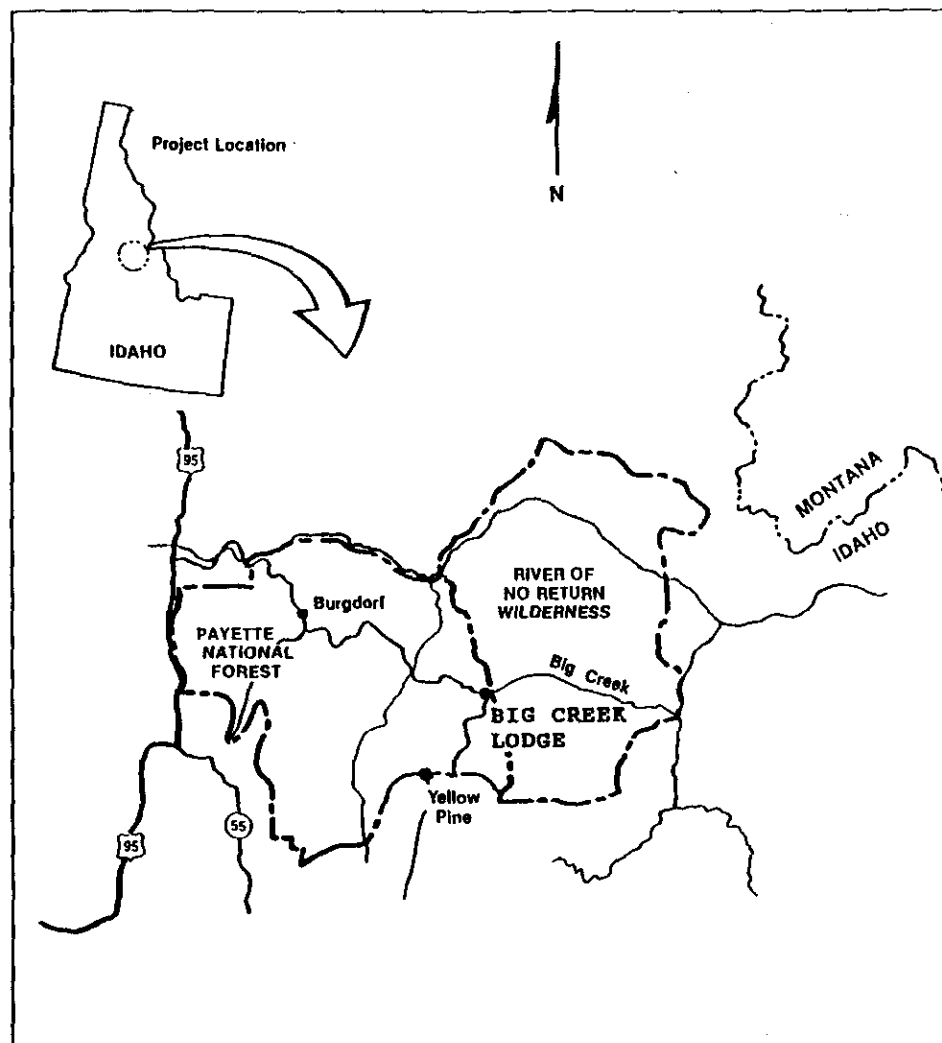


Figure 1. Location of the Big Creek Project, FERC No. 10721, Idaho (Source: Big Creek Lodge and Outfitters, Inc., 1991, amended application, as modified by the staff).

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Remarks: a. Streamflow would be reduced in the bypass reach, but never by more than 50 percent. h. The proposed project would enable Big Creek Lodge to provide lodging services to recreationists in a cost-effective manner.

2. Impacts of the no-action alternative.

Under the no-action alternative, there would be no change to the existing physical, biological, or cultural components of the area; electrical power that would be generated by the project would have to be generated from other available sources.

3. Recommended alternative (including proposed, required, and recommended mitigative measures):

Proposed project.

4. Reason(s) for selecting the preferred alternative:

We select the proposed project as the preferred alternative because its purpose can be achieved with little or no adverse impacts to biological or cultural resources.

I. UNAVOIDABLE ADVERSE IMPACTS OF THE RECOMMENDED ALTERNATIVE

We identified no unavoidable adverse impacts.

J. COMPREHENSIVE DEVELOPMENT

Section 4(e) of the Federal Power Act (Act) states that in deciding whether to issue a license, the Commission, in addition to considering the power and development purposes of the project, shall give equal consideration to: (1) the purposes of energy conservation; (2) the protection, mitigation of damage to, and enhancement of fish and wildlife; (3) the protection of recreational opportunities; and (4) the preservation of other aspects of environmental quality.

Further, in section 10(a)(1), the Act says the Commission shall adopt a project that in its judgement will be best adapted to a comprehensive plan for improving or developing a waterway for (1) the use or benefit of interstate or foreign commerce, (2) the improvement and utilization of water power development, (3) the adequate protection, mitigation, and enhancement of fish and wildlife (including related spawning grounds and habitat), and (4) other beneficial public uses, including irrigation, flood control, water supply, and recreation, and other purposes discussed in section 4(e).

Section 10(a)(2) of the Act requires the Commission to consider the extent to which a project is consistent with federal or state comprehensive plans for improving, developing, or

conserving a waterway or waterways affected by the project. Under section 10(a)(2), federal and state agencies filed 26 plans that address various resources in Idaho. Of these, we identified four plans relevant to this project.¹ No conflicts were found.

Based on our review under sections 4(e) and 10(a), our review of agency and public comments filed in this proceeding, and our independent analysis, the Big Creek Hydroelectric Project, with the mitigative measures recommended in this environmental assessment, would be best adapted to a comprehensive plan for the waterway.

K. CONCLUSION

1. X Finding of No Significant Impact. Approval of the recommended alternative [H(3)] would not constitute a major federal action significantly affecting the quality of the human environment; therefore, an environmental impact statement (EIS) will not be prepared.

— Intent to Prepare an EIS. Approval of the recommended alternative [H(3)] would constitute a major federal action significantly affecting the quality of the human environment; therefore, an EIS will be prepared.

2. X Under Section 10(j) of the Act, this EA addresses the concerns of the Federal and state fish and wildlife agencies and makes recommendations consistent with those of the agencies.

— Under Section 10(j) of the Act, we find that the recommendations of the Federal and state fish and wildlife agencies may be inconsistent with the purpose and requirements of Part I of the Act or other applicable law. We will attempt to resolve the inconsistency through negotiation with the agencies.

L. LITERATURE CITED

Bailey, R.G. 1980. Description of the ecoregions of the United States. Miscellaneous publication no. 1391. Department of Agriculture. 77 pp. 1980.

¹ (1) Payette National Forest land and resource management plan, 1988, Forest Service, McCall, Idaho; (2) Idaho outdoor recreation plan, 1983, Idaho Department of Parks and Recreation, Boise, Idaho; (3) Columbia River Basin fish and wildlife program, 1987, Northwest Power Planning Council; and (4) Protected areas, amendments, and responses to comments, 1988, Northwest Power Planning Council.

1984
9 13

G. ENVIRONMENTAL ISSUES AND PROPOSED RESOLUTIONS

There are three issues addressed below.

1. Streamflow.

Although the project would reduce flows in the 1,340 foot-long bypass, Big Creek Lodge proposes to use only 0.75 cfs of the 3 cfs average flow generally present in McCorkle Creek. Forest Service 4(e) conditions limit the lodge to 0.75 cfs for hydroelectric generation and no more than half of any flow present in the stream. Because there are no game fish or rare aquatic species in McCorkle Creek, nor any recreational fishing, we believe the proposed bypass flow should adequately protect the biological resources of the creek.

2. Gray wolf.

The project is located within the Central Idaho Recovery Area (CIRA), defined in the Northern Rocky Mountain Wolf Recovery Plan (U.S. Fish and Wildlife Service 1987). The authors of the plan estimated that the CIRA supports no more than 15 wolves. The Forest Service (1988) estimated that two to five wolves inhabit the Payette National Forest, which surrounds the Big Creek Lodge project area.

Based on habitat characteristics and land use relationships, Kaminski and Hansen (1984) identified key areas for wolves within the Payette National Forest. These areas are important year-round or seasonal habitat for elk, the primary prey species of the Rocky Mountain gray wolf. The project isn't located within any of these key areas, but is near one that is within the River of No Return Wilderness Area.

Wolves generally avoid sites of human activity. Kaminski and Hansen (1984) list sufficient space with minimal exposure to humans as one of three primary components of wolf habitat. Big Creek Lodge has operated since 1934 and as we said, proposes no modifications of the existing environment.

We find that licensing the Big Creek Lodge Project wouldn't likely affect gray wolves for the following reasons:

- There has been human activity at the project site for a long time, so wolves probably avoid the area.
- The project wouldn't alter existing habitat conditions.
- The project area isn't critical habitat for elk, which wolves eat.

Because information about the location and number of wolves is useful in managing the recovery of this species, and the project site is in a remote area that is near wolf habitat, Big Creek Lodge should notify the appropriate wildlife authorities whenever gray wolves are sighted in the project area.

3. Buried archeological or historic sites that may be affected by any changes in the location of facilities.

It's sometimes necessary to change the location of project facilities. These changes could affect lands not included in the cultural resources survey of the project.

To protect any sites which might be affected by changes in location of facilities, Big Creek Lodge would consult the SHPO about measures needed to: (1) inventory such sites before making any changes in the location of facilities; and (2) avoid or mitigate impacts to sites determined eligible for inclusion in the National Register of Historic Places.

H. ENVIRONMENTAL IMPACTS

1. Assessment of impacts expected from the proposed project (P), with Big Creek Lodge's proposed mitigation and any conditions set by a federal land management agency; the proposed project with any additional mitigation recommended by the staff (Ps); and any action alternative considered (A). Assessment symbols indicate the following impact levels: 0 = None, 1 = Minor, 2 = Moderate, 3 = Major; A = Adverse, B = Beneficial; L = Long-term, S = Short-term.

Resource	Impact			Resource	Impact		
	P	Ps	A		P	Ps	A
a. Streamflow	1AL			e. Wildlife	0		
b. Water quality:				f. Cultural:			
Temperature	0			Archeological	0		
Dissolved oxygen	0			Historical	0		
Turbidity and sedimentation	0			g. Visual quality	0		
c. Fisheries:				h. Recreation	1BL		
Anadromous	0			i. Land use	0		
Resident	0						
d. Vegetation	0						

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Valley. Both McCorkle Creek and the lodge are within the Payette National Forest. A Forest Service work station is located near the lodge, across McCorkle Creek.

b. Existing licensed projects in the basin:

The only other facility is the exempted, 8-kW Flying W project on Lick Creek, a tributary of Big Creek.

c. Other pending license applications and exemption applications in the basin:

None.

d. Cumulative Impacts.

A cumulative impact is the effect on the environment that results from adding the effects of a proposed action to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 C.F.R., section 1508.7).

We selected chinook salmon as an important resource that may be cumulatively affected within the Big Creek Basin. However, no chinook salmon occur in McCorkle Creek. Therefore, the proposed Big Creek Project would have no impacts on chinook salmon.

2. Descriptions of the resources in the project impact area:

Unless we note otherwise, the source of our information is Big Creek Lodge's amended application for license and application supplements.

a. Streamflow:

Average annual flow: 3 cfs.

b. Water quality:

There is no water quality data on McCorkle Creek. But since the creek is used as a domestic water supply at the lodge, and because there is no other type of development in the watershed of this small mountain creek, we assume that water quality is good excellent.

c. Fisheries:

Anadromous: X Absent. Present.

Resident: Absent. X Present.

Remarks: Although some fish exist in McCorkle Creek, there are no game species.

d. Vegetation: The project is located within the Cedar-Hemlock-Douglas Fir section of the Highland Columbia Forest Province (Bailey 1980).

<u>Cover type</u>	<u>Dominant species</u>
Mixed Coniferous Forest	western red cedar western hemlock Douglas fir
Meadow	annual grasses, forbs, perennial bunch grasses

e. Wildlife: Bailey (1980) describes some of the typical fauna of the Highland Columbia Forest Province, where the project would be located. Large mammals in the area include black bear, mule and white-tailed deer, Rocky Mountain elk, mountain lion, and bobcat. Common birds are red-breasted nuthatches and several species of hawks, owls, and jays. Blue and ruffed grouse are upland game birds that are common in the region.

f. Cultural:

National Register (listed and eligible) properties have not been recorded.

g. Visual quality:

The proposed project lies in a scenic valley at the west edge of a green, willow and conifer-ringed meadow. The steep mountain slopes of the valley are covered with fir and pine forests.

h. Recreation:

Big Creek Lodge provides its guests a wilderness setting, lodging, and professional outfitting and guide services. Recreational activities on the surrounding Forest Service lands include horseback riding, big-game hunting, fishing, summer pack trips, nature viewing, and snowmobiling.

i. Land use:

Land in the project vicinity, along the Big Creek Valley, is used for high-country recreation, irrigated pasture, and managed forest and wilderness.

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4. Cultural resource consultation (Historic Preservation Act):

- a. State Historic Preservation Officer: ☒ Yes. ☐ No.
- b. National Park Service (NPS): ☒ Yes. ☐ No.
- c. National Register status: ☒ None. ☐ Eligible or listed.
- d. Council: Not required.
- e. Further consultation: Not required.

Remarks: We agree with the Idaho State Historic Preservation Officer (SHPO) (Green 1991) and the NPS (Pepin-Donat 1991) that the project would not affect any archeological or historic sites eligible for inclusion in the National Register of Historic Places.

5. Recreational consultation (Federal Power Act):

- a. U.S. Owners: ☒ Yes. ☐ No.
- b. National Park Service: ☒ Yes. ☐ No.
- c. State(s): ☒ Yes. ☐ No.

6. Wild and scenic rivers (Wild and Scenic Rivers Act):

Status: ☒ None. ☐ Listed.

7. Land and Water Conservation Fund lands and facilities (Land and Water Conservation Fund Act):

Status: ☒ None. ☐ Designated.

8. Pacific Northwest Power Planning and Conservation Act:

Under section 4(h) of the Pacific Northwest Power Planning and Conservation Act (Act), the Northwest Power Planning Council (NWPPC) developed the Columbia River Basin Fish and Wildlife Program (Program) to protect, mitigate, and enhance fish and wildlife resources associated with development and operation of hydroelectric projects within the Columbia River Basin. Section 4(h) states that responsible federal agencies should provide equitable treatment for fish and wildlife resources in addition to other purposes for which hydropower is developed. Section 4(h) further states that these agencies shall take into account, to the fullest extent practicable, the Program adopted under the Act.

The Program directs applicants to consult with federal and state fish and wildlife agencies, appropriate Indian Tribes, and the NWPPC during the study, design, construction, and operation of any hydroelectric development in the basin [sections 1103(a)(1)(A) and (2)(A)]. At the time the application was filed, the Commission's regulations required applicants to start prefilming consultation with the appropriate federal and state

fish and wildlife agencies and the Tribes and to provide these groups with postfiling opportunities to review and to comment on the application. Big Creek Lodge carried out this consultation process.

The Program states that authorization for new hydroelectric projects should include conditions of development that would mitigate the impacts of the project on fish and wildlife resources [1103(a)]. Our recommendations in the Environmental Analysis section are consistent with the requirements of the Program.

The proposed project would not affect tribal lands, other tribal interests, or treaty rights. Further, a condition of any license issued would reserve to the Commission the authority to require future alterations in project structures and operation to take into account, to the fullest extent practicable, the applicable provisions of the Program.

The project would be located at an existing diversion box and thus would not be subject to the Council's protected area rule [section 1103(b)(4)(c)].

E. COMMENTS

The following agencies and entities provided comments on the application or filed a motion to intervene in response to the public notice dated 10/2/91:

<u>Commenting agencies and other entities</u>	<u>Date of letter</u>
U.S. Department of the Interior	12/03/91
U.S. Forest Service	12/10/91
<u>Motions to intervene</u>	<u>Date of motion</u>

None.

The applicant did not respond to the comments.

F. AFFECTED ENVIRONMENT

1. General description of the locale.

a. Description of McCorkle Creek.

McCorkle Creek is a tributary to Big Creek located in the high-country of central Idaho. McCorkle Creek is about 3 feet wide at its mouth. The Big Creek Lodge is located on a flat, grassy clearing next to McCorkle Creek in the remote Big Creek

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C. PROPOSED PROJECT AND ALTERNATIVES

1. Description of the proposed action. (See figure 2.)

The project, which is constructed but not presently operating, consists of: (1) a 3-foot-long, 2-foot-wide, and 2-foot-deep instream diversion box; (2) a 4-inch-diameter, 1,340-foot-long penstock, buried at a depth of 4 feet; (3) a 14-foot-long, 12-foot-wide log powerhouse with a single pelton turbine and generating unit rated at 22-Kilowatts (kW); (4) an 8-foot-long, 18-inch-diameter steel culvert tailrace with natural rock baffles; (5) a 350-foot-long underground cable, connecting to a master distribution panel in Big Creek Lodge; and (6) related facilities. The estimated average annual generation for the project would be 10,000 kilowatt-hours.

2. Applicant's proposed mitigative measures.

Big Creek Lodge proposes to operate the project as they have in the past--to use only 0.75 cubic feet per second (cfs) of McKee Creek's flow for project operation and to always leave at least half of the stream's total flow in the bypass reach.

3. Alternatives to the proposed project:

a. The proposed project as modified by our (the staff's) recommended mitigative measures.

We propose no additional mitigative measures. However, we recommend measures to protect any undiscovered cultural resources.

b. Alternative of no action.

The alternative of no action, denying the license, would preclude Big Creek Lodge from operating the existing project and producing hydroelectric power at the site. The existing environment has already been altered by previous construction and operation of the project. In the event that the license is denied, the applicant will continue to consume non-renewable fossil fuels to meet its system generation requirements. Licensing the project would conserve non-renewable primary energy resources, lower cost, and reduce atmospheric pollution.

4. Federal lands affected.

No. X Yes; Forest Service; acreage = approximately 5;

X Conditions provided by letter dated : 12/10/91
(attachment A).

Conditions have not been provided.

Remarks: The following is a summary of the conditions listed in the attachment.

- Flow conditions are subject to the existing water rights of 0.75 cfs during the operating season held by the Forest Service, for power purposes subject to the provisions of Section 42-205 through 42-410 Idaho Code.
- During the construction and operation of the facilities authorized by this license, the licensee shall not divert more than 50 percent of the instantaneous flow from the stream as determined by reserved flows at the penstock diversion from McCorkle Creek.
- The licensee shall conduct a survey of project boundaries enclosing all project works and excluding all recreation and Forest Service administrative facilities.

D. CONSULTATION AND COMPLIANCE

1. Fish and wildlife agency consultation (Fish & Wildlife Coordination Act):

- a. U.S. Fish & Wildlife Service (FWS): X Yes. No.
- b. State(s): X Yes. No.
- c. National Marine Fisheries Service (NMFS): Not required.

2. Section 7 consultation (Endangered Species Act):

a. Listed species: None. X Present: The FWS notified the Commission (Lobdell 1991) that the gray wolf may occur in the project area (species list number FWS-1-4-91-SP-648).

b. Consultation: Not required.

Remarks: The project wouldn't affect the gray wolf. See Environmental Issues and Proposed Resolutions, section G.2.

3. Section 401 certification (Clean Water Act):

Not required.

X Required; applicant requested certification on 8/17/91.

Status: Granted by the certifying agency on 9/16/91.

Remarks: The certificate was issued without conditions.

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ENVIRONMENTAL ASSESSMENT

FEDERAL ENERGY REGULATORY COMMISSION
OFFICE OF HYDROPOWER LICENSING
DIVISION OF PROJECT REVIEWDate: March 26, 1992Project name: Big CreekFERC Project No. 10721--001

A. APPLICATION

1. Application type: Minor (Constructed) License
2. Date filed with the Commission: March 22, 1991
3. Applicant: Big Creek Lodge & Outfitters, Inc.
4. Water body: McCorkle Creek River basin: Big Creek
5. Nearest city or town: Yellow Pine, Idaho (See figure 1.)
6. County: Valley State: Idaho

B. PURPOSE AND NEED FOR ACTION

1. Purpose.

Project power is for use at Big Creek Lodge.

The lodge's existing hydroelectric generation system was constructed in 1968 and operated until about 1985. In 1986, the applicant, Big Creek Lodge & Outfitters, Inc. (Big Creek Lodge) acquired the lodge, which is in the Payette National Forest, and a special use permit was issued by the Forest Service. Since then, Big Creek Lodge has delayed operation of the project until a license can be issued. The plant would be placed in service immediately if the Commission approves the pending license application.

2. Need for power.

The proposed project would supply electrical generation to operate the existing facilities, replace existing gasoline generation when available, meet existing unfulfilled power needs, and provide power for future anticipated demands. All project generation would be used on-site; none of the project power would be sold for use by others.

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violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(f) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised exhibit G or K drawings would be filed for approval for other purposes.

(g) The authority granted to the licensee under this article shall not apply to any part of the public lands and reservations of the United States included within the project boundary.

(f) The licensee shall serve copies of any Commission filing required by this order on any entity specified in this order to be consulted on matters related to that filing. Proof of service on these entities must accompany the filing with the Commission.

(G) This order is issued under authority delegated to the Director and constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.



Fred E. Springer
Director, Office of
Hydropower Licensing

ENVIRONMENTAL ASSESSMENT
FOR HYDROPOWER LICENSE

Big Creek

FERC Project No. 10721-001

Idaho

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Federal Energy Regulatory Commission
Office of Hydropower Licensing
Division of Project Review
825 N. Capitol Street, NE
Washington, D.C. 20426

March 26, 1992

with applicable state and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the licensee's costs of administering the permit program. The Commission reserves the right to require the licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

(c) The licensee may convey easements or rights-of-way across, or leases of, project lands for: (1) replacement, expansion, realignment, or maintenance of bridges or roads where all necessary state and federal approvals have been obtained; (2) storm drains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69-kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed. If no conveyance was made during the prior calendar year, the licensee shall so inform the Commission and the Regional Director in writing no later than January 31 of each year.

(d) The licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary state and federal approvals have been obtained; (2) sewer or effluent lines that discharge into project waters, for which all necessary federal and state water quality certification or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary federal and state approvals have been obtained; (5) private or public marinas that can accommodate no

more than 10 watercraft at a time and are located at least one-half mile (measured over project waters) from any other private or public marina; (6) recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from project waters at normal surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year. At least 60 days before conveying any interest in project lands under this paragraph (d), the licensee must submit a letter to the Director, Office of Hydropower Licensing, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked exhibit G or K map may be used), the nature of the proposed use, the identity of any federal or state agency official consulted, and any federal or state approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the licensee to file an application for prior approval, the licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraph (c) or (d) of this article:

(1) Before conveying the interest, the licensee shall consult with federal and state fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.

(2) Before conveying the interest, the licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved exhibit R or approved report on recreational resources of an exhibit E; or, if the project does not have an approved exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.

(3) The instrument of conveyance must include the following covenants running with the land: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; (ii) the grantee shall take all reasonable precautions to insure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project; and (iii) the grantee shall not unduly restrict public access to project waters.

(4) The Commission reserves the right to require the licensee to take reasonable remedial action to correct any

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from maintenance, operation, or alteration of the project works. All clearing of lands and disposal of unnecessary material shall be done with due diligence to the satisfaction of the authorized representative of the Commission and in accordance with appropriate federal, state, and local statutes and regulations.

Article 202. Within 60 days after completion of the requirements of Article 106 above, the licensee shall file for approval revised exhibits A and G to describe and show the project facilities enclosed within a project boundary and the RS acreage within the project boundary.

Article 401. The licensee, before starting any future land-clearing, land-disturbing, or spoil-producing activities associated with the project, shall consult with the Idaho State Historic Preservation Officer (SHPO) and conduct a cultural resources survey of the affected areas. Further, the licensee, all file: (1) a report containing the survey results; (2) for Commission approval, a cultural resources management plan to avoid or mitigate impacts to any significant archaeological or historic sites identified during the survey; and, (3) the written comments of the SHPO on the report and the plan.

The survey, report, and plan shall: (1) be based on the recommendations of the SHPO; (2) be conducted and prepared by a qualified cultural resources specialist; and (3) adhere to the Secretary of the Interior's Guidelines for Archeology and Historic Preservation.

The plan shall contain the following: (1) a description of each discovered site, indicating whether it is listed or eligible to be listed on the National Register of Historic Places; (2) a description of the potential effect on each discovered site; (3) proposed measures for avoiding or mitigating the effects; (4) documentation of the nature and extent of consultation with the SHPO; and (5) a schedule for mitigating effects and conducting additional studies. The Commission may require changes to the plan.

In addition, if the licensee discovers any previously unidentified archeological or historic sites during the course of constructing, developing, or operating project works or other activities at the project, the licensee shall: (1) stop all land-clearing, land-disturbing, or spoil-producing activities in the vicinity of the sites; (2) consult with the SHPO, and (3) for Commission approval a cultural resources management plan to avoid or mitigate impacts to significant resources, together with the written comments of the SHPO on the plan.

The licensee shall not implement a cultural resources management plan or begin any land-clearing, land-disturbing, or spoil-producing activities until informed by the Commission that

the requirements of this article have been fulfilled.

Article 402. The Commission reserves the authority to order, upon its own motion or upon the recommendation of federal and state fish and wildlife agencies, affected Indian Tribes, and the Northwest Power Planning Council, alterations of project structures and operations to take into account to the fullest extent practicable the regional fish and wildlife program developed and amended pursuant to the Pacific Northwest Electric Power Planning and Conservation Act.

Article 403. (a) In accordance with the provisions of this article, the licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain types of use and occupancy, without prior Commission approval. The licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the licensee shall also have continuing responsibility to supervise and control the use and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, cancelling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.

(b) The type of use and occupancy of project lands and water for which the licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 watercraft at a time and where said facility is intended to serve single-family type dwellings; (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline; and (4) food plots and other wildlife enhancement. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the use and occupancies for which it grants permission are maintained in good repair and comply

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Forest Service special-use authorization are enforceable by the Forest Service under the laws, rules, and regulations applicable to the National Forest System. The violation of such terms and conditions also shall be subject to applicable sanctions and enforcement procedures of the Commission at the request of the Forest Service. In the event there is a conflict between any provisions of the license and Forest Service special-use authorization, the special-use authorization shall prevail on matters which the Forest Service deems to affect National Forest System resources.

* Article 102. Before any construction of the project occurs on National Forest System land, the licensee shall obtain the prior written approval of the Forest Service for all final design plans for project components which the Forest Service deems as affecting or potentially affecting National Forest System resources. The licensee shall follow the schedules and procedures for design review and approval specified in the Forest Service special-use authorization. As part of such prior written approval, the Forest Service may require adjustments in final plans and facility locations to preclude or mitigate impacts and to assure that the project is compatible with on-the-ground conditions. Should such necessary adjustments be deemed by the Forest Service, the Commission, or the licensee to be substantial change, the licensee shall follow the procedures of Article 2 of the license. Any changes to the license made for any reason pursuant to Article 2 or Article 3 shall be made subject to any new terms and conditions of the Secretary of Agriculture made pursuant to section 4(e) of the Federal Power Act.

Article 103. Notwithstanding any Commission approval or license provisions to make changes to the project, the licensee shall get written approval from the Forest Service prior to make any changes in the location of any constructed project features or facilities, or in the uses of project lands and waters, or any departure from the requirements of any approved exhibits filed with the Commission. Following receipt of such approval from the Forest Service, and at least 60 days prior to initiating any such changes or departure, the licensee shall file a report with the Commission describing the changes, the reasons for the changes, and showing the approval of the Forest Service for such changes. The licensee shall file an exact copy of this report with the Forest Service at the same time it is filed with the Commission. This article does not relieve the licensee from the amendment or other requirements of Article 2 or Article 3 of this license.

* Article 104. Each year during the 60 days preceding the anniversary date of the license, the licensee shall consult with the Forest Service with regard to measures needed to ensure protection and development of the natural resource values of the project area. Within 60 days following such consultation, the licensee shall file with the Commission evidence of the

consultation with any recommendations made by the Forest Service. The Commission reserves the right, after notice and opportunity for hearing, to require changes in the project and its operation that may be necessary to accomplish natural resource protection.

* Article 105. Flow conditions are subject to the existing water rights of .75 cubic feet per second during the operating season held by the US Department of Agriculture, Forest Service, for power purposes subject to the provisions of Section 42-205 through 42-210 Idaho Code.

During the construction and operation of the facilities authorized by this license, the licensee shall not divert more than 50 percent of the instantaneous flow from the stream as determined by reserved flows at the penstock diversion from McCorkle Creek.

* Article 106. Within 1 year following the date of issuance of this license, the licensee shall cause to be conducted a survey of project boundaries enclosing all project works and other features that are to be licensed and excluding all recreation and Forest Service administrative facilities. Upon completion of the survey, a plat of the survey information shall be provided to the Commission and to the Forest Service and the project boundary description shall be adjusted accordingly.

(F) This license is also subject to the articles set forth in Form L-16, (October 1973), entitled "Terms and Conditions of License for Constructed Minor Project Affecting Lands of the U.S.", except article 15, and the following additional articles:

* Article 201. (1) The licensee shall pay the United States an amount equal to the annual charges that would have been assessed from August 1, 1968 to the last day of the month preceding the month in which this order is issued, as if the project had been licensed during that period; (2) the licensee shall pay the United States the following annual charges as determined by the Commission, effective the first day of the month in which this license is issued for the purposes of:

a. Reimbursing the United States for the cost of administration of Part I of the Act. The authorized installed capacity for that purpose is 29 horsepower.

b. Recompensing the United States for the use, occupancy and enjoyment of 5 acres of its lands other than for transmission line right-of-way.

Article 202. The licensee shall clear and keep clear to an adequate width all lands along open conduits and shall dispose of all temporary structures, unused timber, brush, refuse, or other material unnecessary for the purposes of the project which result

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Big Creek Lodge & Outfitters, Inc.

Project No. 10721-001
IdahoORDER ISSUING LICENSE
(Minor Constructed Project)
March 27, 1992

Big Creek Lodge & Outfitters, Inc. (applicant) filed a license application under Part I of the Federal Power Act (Act) to operate and maintain the constructed Big Creek Project located on McCorkle Creek, in Valley County, Idaho, within the Payette National Forest.^{1/}

The Commission published a public notice of the application. protests or motions to intervene were filed in this proceeding, and no agency objected to issuance of this license. In determining whether to issue this license staff fully considered comments from interested agencies and individuals.

Comprehensive Development

Section 4(e) of the Act states that in deciding whether to issue a license, the Commission, in addition to considering the power and development purposes of the project, shall give equal consideration to (1) the purposes of energy conservation, (2) the protection, mitigation of damage to, and enhancement of fish and wildlife, (3) the protection of recreational opportunities, and (4) the preservation of other aspects of environmental quality. Staff considered these purposes in the comprehensive development section of the Environmental Assessment (EA) prepared for this project.

Further, in section 10(a)(1), the Act says the Commission shall adopt a project that in its judgement will be best adapted to a comprehensive plan for improving or developing a waterway for (1) the use or benefit of interstate or foreign commerce, (2) the improvement and utilization of water power development, (3) the adequate protection, mitigation, and enhancement of fish and wildlife (including related spawning grounds and habitat), and (4) other beneficial public uses, including irrigation, flood control, water supply, and recreation, and other purposes discussed in section 4(e).

Section 10(a)(2) of the Act requires the Commission to consider the extent to which a project is consistent with federal

1/ See page 1 of the attached Environmental Analysis for the history of this project.

or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the project. Under section 10(a)(2), federal and state agencies filed 26 plans that address various resources in Idaho. Of these, staff identified four plans relevant to this project.^{2/} No conflicts were found.

In determining whether to issue this license, staff fully considered the terms and conditions provided by the Forest Service (FS), pursuant to section 4(e) of the Act, and staff evaluated the effect of project operation on the environmental resources of the project area. Staff concurs with the FS recommendation requiring the Big Creek Lodge & Outfitters, Inc. to release a continuous minimum flow, at least equal to 50 percent of the instantaneous flow in the stream, to offset the minor effects this project may have on the aquatic resources of the McCorkle Creek.

Staff has also evaluated the economics of the project with the above mitigation and has determined that the energy benefits exceed the cost of operating the plant.

Based on staff's review under section 4(e) and 10(a), and staff review of agency and public comments filed in this proceeding, and our independent analysis, I conclude that the Big Creek Hydroelectric Project, with the mitigative measures required in this license, would be best adapted to a comprehensive plan for the waterway.

Recommendations of Federal and State Fish and Wildlife Agencies

Section 10(j) of the Act requires the Commission to include license conditions, based on recommendations of federal and state fish and wildlife agencies, for the protection, mitigation of damage to, and enhancement of fish and wildlife. Staff's EA for the Big Creek Hydroelectric Project addresses the concerns of the fish and wildlife agencies and this license provides conditions consistent with their recommendations.

Summary of Findings

Staff's EA contains background information, analysis of

- 2/ (1) Payette National Forest land and resource management plan, 1988, Forest Service, McCall, Idaho; (2) Idaho outdoor recreation plan, 1983, Idaho Department of Parks and Recreation, Boise, Idaho; (3) Columbia River Basin fish and wildlife program, 1987, Northwest Power Planning Council; and (4) Protected areas, amendments, and responses to comments, 1988, Northwest Power Planning Council.

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Exhibit C

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impacts, support for related license articles, and the basis for a finding of no significant impact on the environment. Issuing this license is not a major federal action significantly affecting the quality of the human environment.

The design of this project is consistent with the engineering standards governing dam safety. The project will be safe if operated, and maintained in accordance with the requirements of this order. Staff analyze related issues in our attached safety and design assessment (S&DA).

I conclude that (1) the Big Creek Project does not conflict with any planned or authorized development and (2) is best adapted to the comprehensive development of the waterway for beneficial public uses.

License Term and Pre-effective Date Charges

In accordance with the Commission policy established in the order issuing license for Project No. 10896, issued on March 20, 1992 (58 FERC ¶ 61,318), this license will be effective as of March 1, 1992, for a term of 30 years. Pre-effective charges will be assessed to August 1, 1992, when project construction started.

The Director orders:

(A) This license is issued to Big Creek Lodge & Outfitters, Inc. (licensee), effective March 1, 1992 and expiring February 28, 2022, for the operation and maintenance of the Big Creek Project. This license is subject to the terms and conditions of the Act, which is incorporated by reference as part of this license, and subject to the regulations the Commission issues under the provisions of the Act.

(B) The project consists of:

(1) All lands, to the extent of the licensee's interests in those lands, enclosed by the project boundary shown by exhibit G:

<u>Exhibit G-</u>	<u>FERC No. 10721-</u>	<u>Showing</u>
2	7	Project Map
3	8	Overview of Project

(2) The existing non-operating project consists of: (1) a 2-foot-high, 3-foot-long diversion dam; (2) a 4-inch-diameter, 1,340-foot-long penstock; (3) a 12-foot by 14-foot log powerhouse containing a single generating unit with an installed capacity of 22-kW, producing approximately 10,000 kWh of energy annually; (4) an 18-inch-wide tailrace; and (5) a 350-foot-long underground

cable, connecting to the Big Creek Lodge.

The project works generally described above are more specifically shown and described by those portions of exhibits A and F recommended for approval in staff's attached S&DA.

(3) All of the structures, fixtures, equipment or facilities used to operate or maintain the project and located within the project boundary, all portable property that may be employed in connection with the project and located within or outside the project boundary, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) The exhibit G described above and those sections of exhibits A and F recommended for approval in staff's S&DA are approved and made part of the license.

(D) The following sections of the Act are waived and excluded from the license for this minor project:

4(b), except the second sentence; 4(e), insofar as it relates to approval of plans by the Chief of Engineers and the Secretary of the Army; 6, insofar as it relates to public notice and to the acceptance and expression in the license of terms and conditions of the Act that are waived here; 10(c), insofar as it relates to depreciation reserves; 10(d); 10(f); 14, except insofar as the power of condemnation is reserved; 15; 16; 19; 20; and 22.

(E) This license is subject to the following terms and conditions submitted by the United States Department of Agriculture, Forest Service, under section 4(e) of the Act:

* Article 101. Within 6 months following the date of issuance of this license and before starting any activities the Forest Service determines to be of a land-disturbing nature, the licensee shall obtain from the Forest Service a special-use authorization for the occupancy and use of National Forest System lands, and shall file that authorization with the Director, Office of Hydropower Licensing.

* The licensee may commence land-disturbing activities authorized by the license and special-use authorization 60 days following the filing date of such authorization, unless the Director, Office of Hydropower Licensing, prescribes a different commencement schedule. Notwithstanding the authorizations granted under the Federal Power Act, National Forest System lands within the project boundaries shall be managed by the Forest Service under the laws, rules, and regulations applicable to the National Forest Service System. The terms and conditions of the

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US DEPT OF AGRICULTURE
FOREST SERVICE
PAYETTE NATIONAL FOREST
PO BOX 1026
MC CALL, ID 83638

Source: UNNAMED STREAM

Tributary: BIG CREEK

Diversion Pt: SWNW Sec 26 T 21N R 09E in VALLEY County.
 NWSW Sec 26 T 21N R 09E in VALLEY County.

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Use: POWER          ( .750 CFS)
      Total Diversion: ( .750 CFS)
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Date Filed: 2/23/1994

In: VALLEY County
T21N R09E S26 NESW

100-443887-109

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