

RECEIVED

JUN 9 1971

AFFIDAVIT OF PUBLICATION

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Gus Carlson, Box 76, Riggins, Idaho, has received an approved Permit No. 25403/77-2123 issued by the Idaho Department of Water Administration authorizing the diversion of 2.0 cubic feet per second of water from Allison Creek, tributary to Salmon River. The priority to be established under this permit is April 14, 1969 and the permit was approved February 3, 1955.

Water is to be diverted by dam, pipe and generator from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T. 24N, R. 2E, B.M., Idaho County, to be used for hydro-electric power for domestic purposes.

Proof of the application of the water to beneficial use was submitted to the Department on May 12, 1971. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, 83707, within ten (10) days of the last publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, on May 26th and June 2nd, 1971.

M26-Jn2

..... Gary D. Cash being first duly sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 26th day of May 1971, and the last publication on the 2nd day of June 1971 and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Gary D. Cash

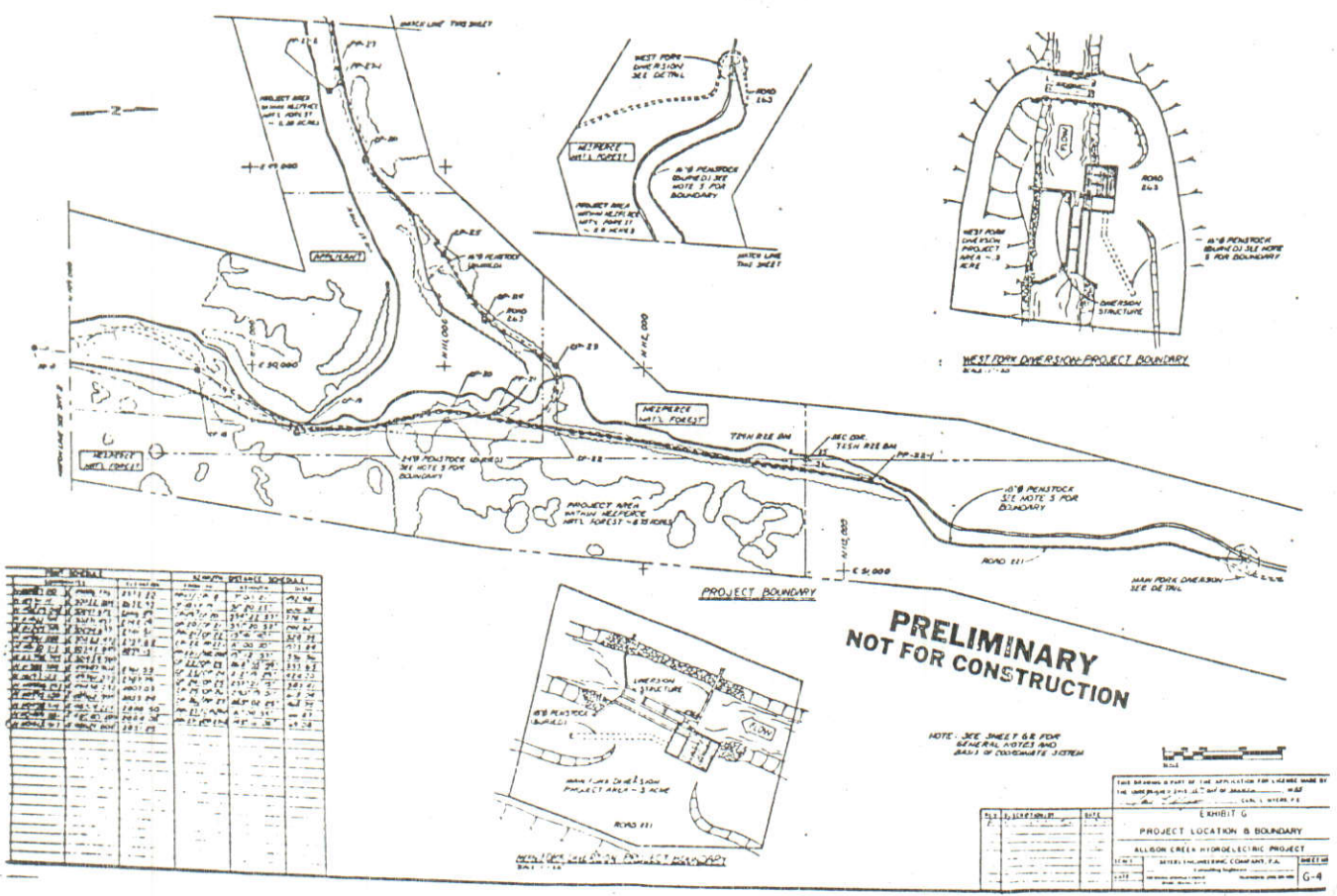
Subscribed and sworn to before me this 2nd day of June 1971

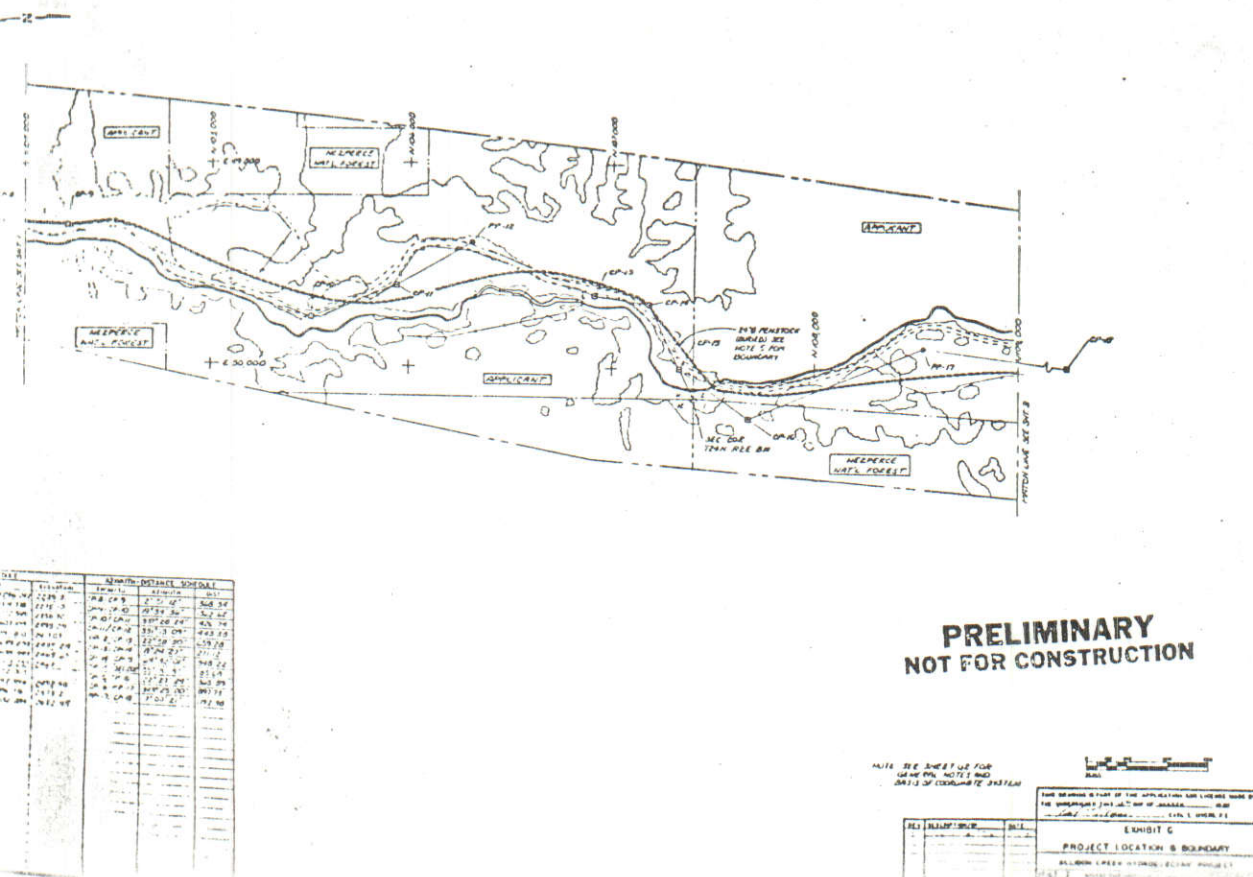
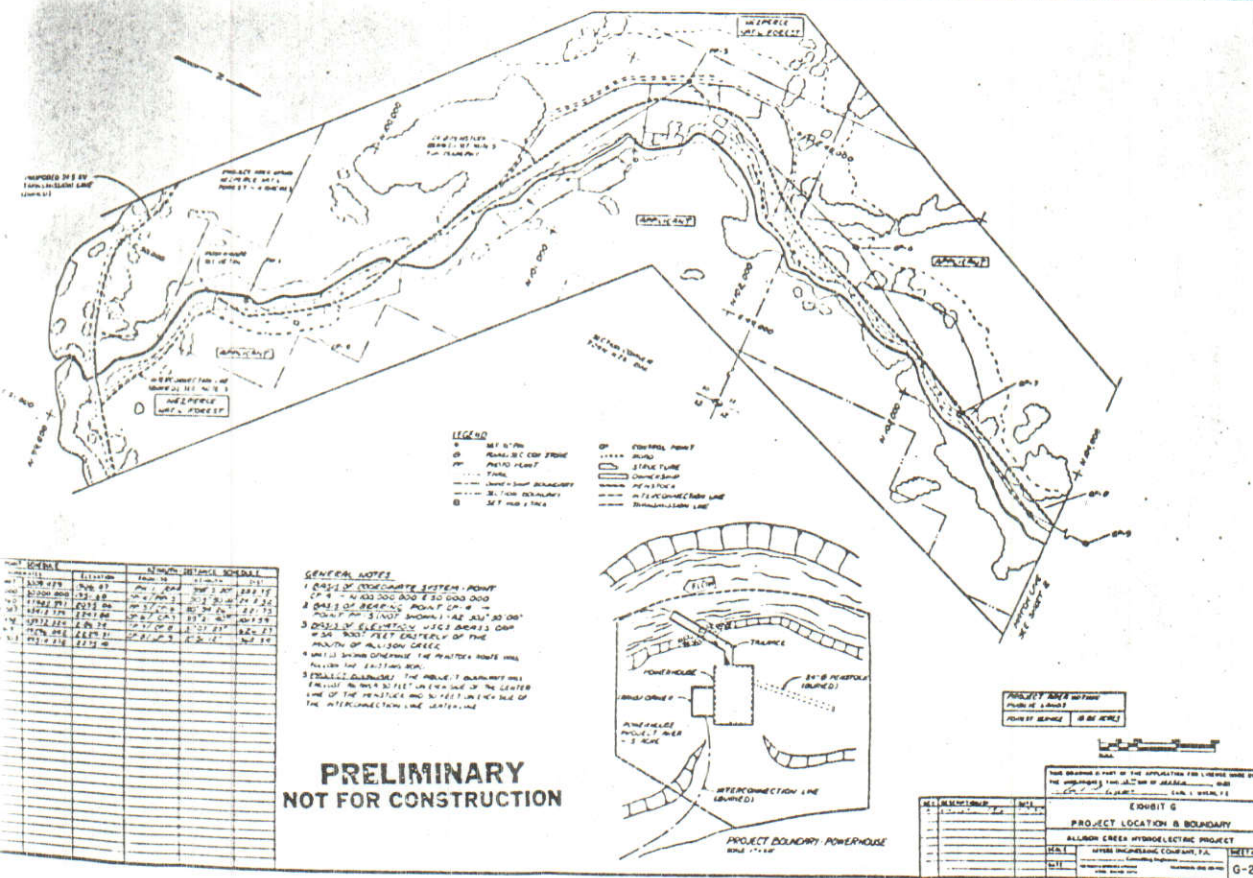
Richard C. Hatch Notary Public
for State of Idaho, residing at Grangeville, Idaho.

Agency Comments - Federal State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88-2 and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments with the Commission within the time set for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be set to the Applicants representatives.

Kenneth F. Plumb
Secretary





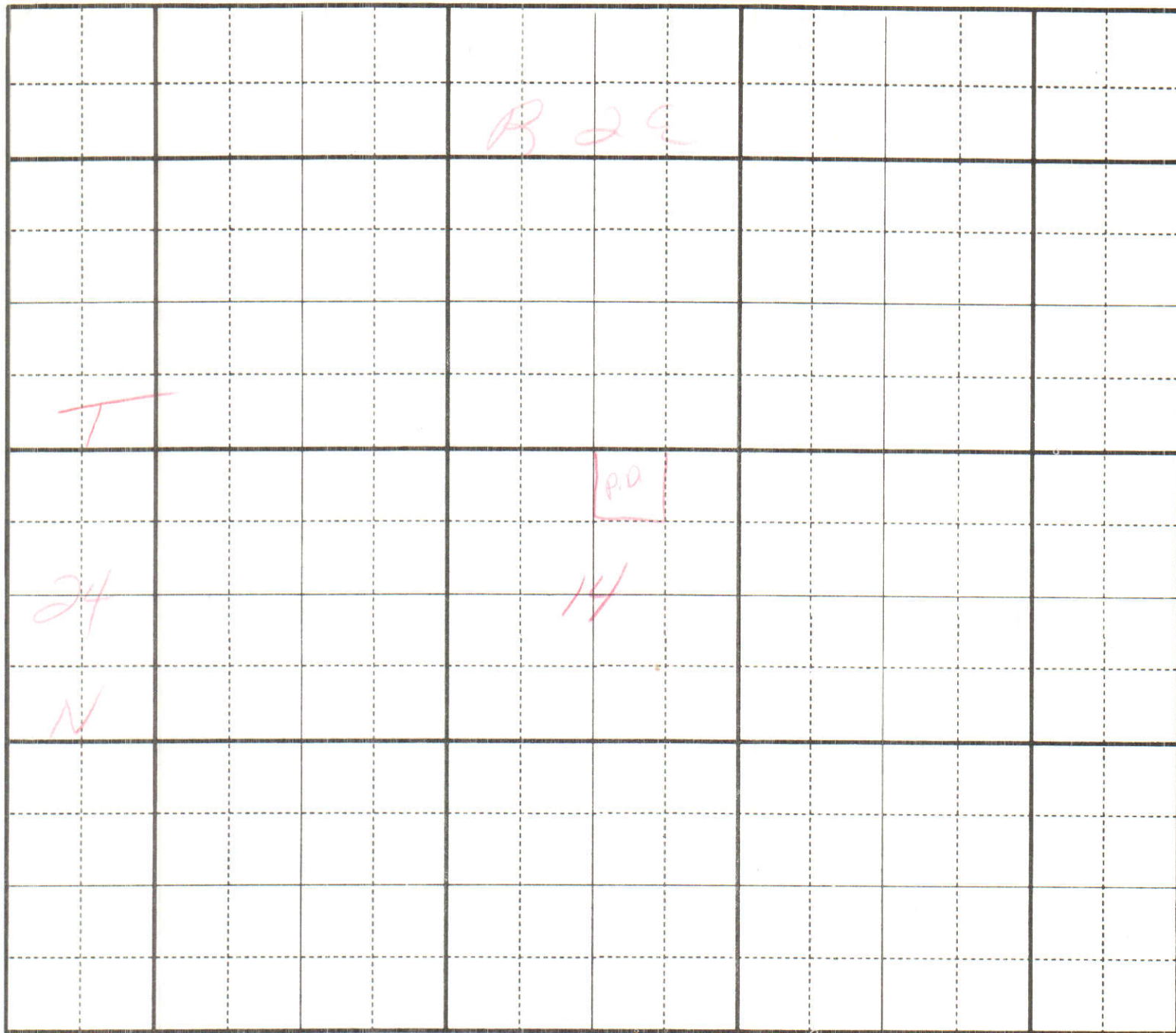


Diagram of System

DATE

EXAMINATION RECORDS

by: _____

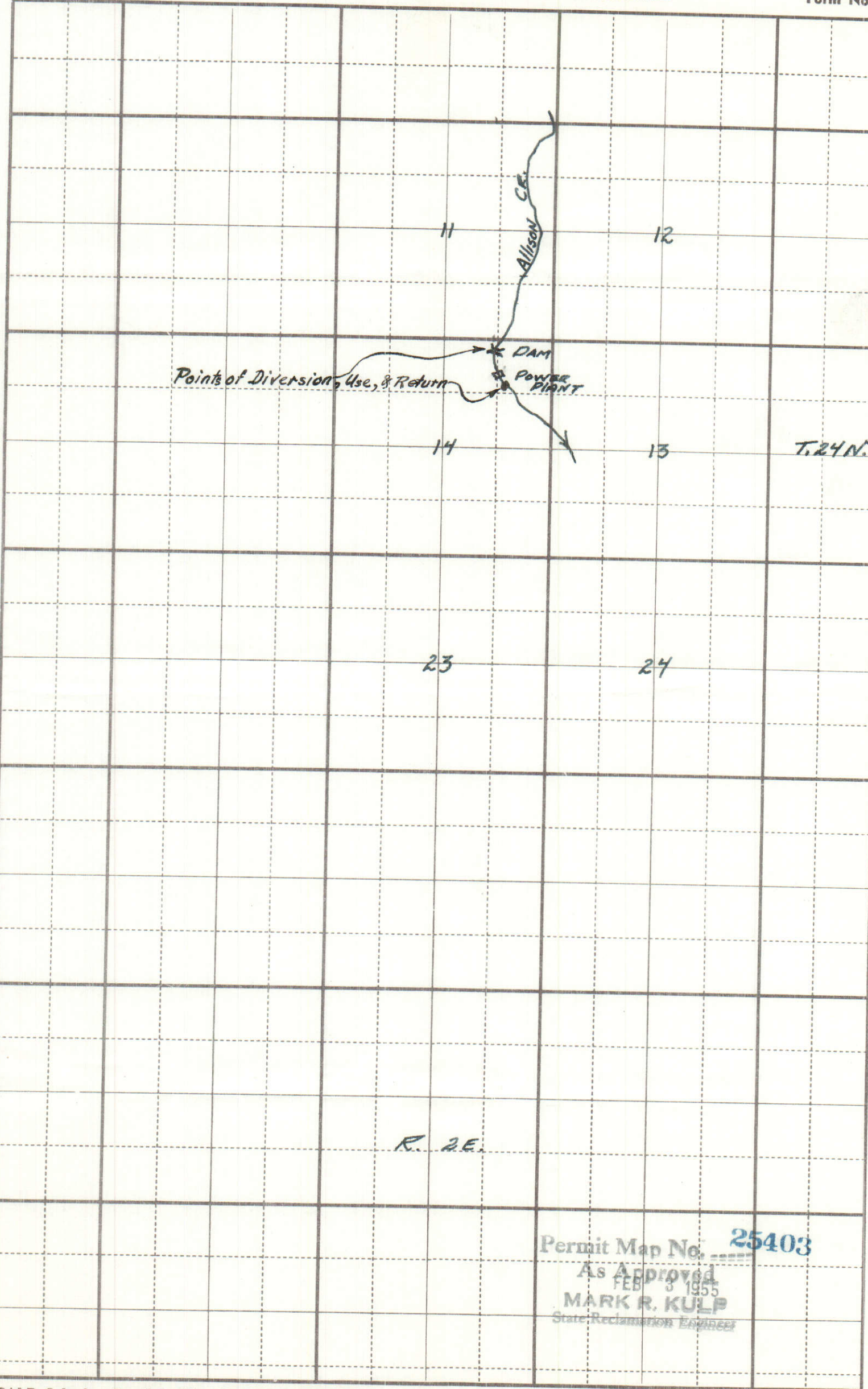
by: _____

by: _____

by: _____

NAME OF APPLICANT Gus Carlson

Form No. C



Permit Map No. **25403**
As Approved
FEB 3 1955
MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT

Eus Carlson.

Form No. 0

10

11

12

ALLISON CR.

14

13

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25403

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 25403/77-2123 Priority April 14, 1969 Amount 2.0 cfs
(late proof)

THIS IS TO CERTIFY, that GUS CARLSON
of Riggins, Idaho, has complied with the terms and conditions of Permit
No. 25403/77-2123 issued pursuant to Application for Permit dated January 6, 1955,
and has submitted proof to the Department of Water Administration on May 12, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.0 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Allison Creek
tributary of the Salmon River, is hereby confirmed in the following amounts:

Amount 2.0 cfs for Power from Jan. 1 to Dec. 31 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 2.0 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, Twp. 24 N, Rge. 2 E, B. M.

in the county of Idaho; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used ~~and shall not exceed~~ one cfs per year
~~one cfs per year.~~

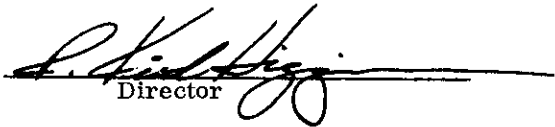
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
24 N	2 E	14	X																

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
March, 19 73.


Director

AFFIDAVIT OF PUBLICATION



..... Gary D. Cash being first duly sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for ...two... weeks, being published two..... times, the first publication being on the 26th day of May 1987, and the last publication on the 2nd day of June 1987, and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

..... Gary D. Cash

Subscribed and sworn to before me this 2nd day of June 1987

..... Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25403/77-2123)
)
in the name of GUS CARLSON)
)

ORDER

WHEREAS, on January 6, 1955, Gus Carlson applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 2.0 cubic feet per second of water from Allison Creek, tributary to the Salmon River, from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 14, T. 24N, R. 2E, B.M., Idaho County, to be used for hydro-electric power for domestic purposes; and,

WHEREAS, on February 3, 1955, the Department approved the application and issued Permit No. 25403 with the condition that one-fifth of the work be completed on or before February 3, 1956; and that the whole of said work be completed on or before February 3, 1957; and that the water be appropriated to a beneficial use on or before February 3, 1957; and,

WHEREAS, proof of completion of works was made on February 11, 1957; and,

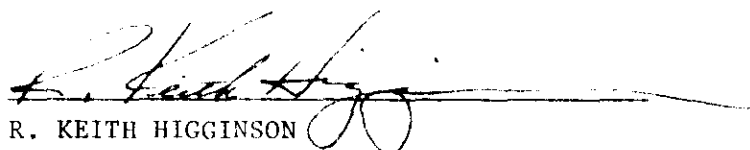
WHEREAS, on March 15, 1971, the Department notified the permit holder that Permit No. 25403/77-2123 was subject to cancellation for failure to submit proof of beneficial use of water due on or before February 3, 1957; and,

WHEREAS, proof of beneficial use was received by the Department on May 12, 1971; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. 25403/77-2123 be advanced to April 14, 1969.

Dated this 13TH day of May, 1971.


R. KEITH HIGGINSON
Director

BDF:DR

Identification No. _____

Permit No. 77-2123

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
MAY 19 1977
late
Department

1. a) Name of Permit Holder Gus Carlson
b) Post Office Address Riggins, Idaho
2. Permit Number 25403/77-2123
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Allison Creek
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14
Township 24 N, Range 2 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 2.0 for power purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.0 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
estimate
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____
small diversion dam on Allison Creek composed of earth, logs, rock and cement
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) _____

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
NONE

c) Give well drillers name and address and date the well was completed _____

Exam Signed 11-4-77
mgd

77 2123

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____
This water is used for the Hydro Electric power unit on Allison Creek that supplies power to our Ranch

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

May-10-71 (Date) Gus Carlson (Signature)

State of Idaho)
County of Idaho) ss.

On this 10 day of May, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Doris A. Allison
Notary Public residing at Riggins Idaho

My commission expires Aug. 28, 1974

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25403/77-2123)
in the name of GUS CARLSON)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

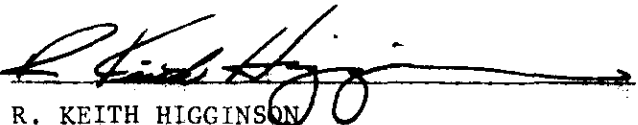
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 25403 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 13th day of May, 1971.


R. KEITH HIGGINSON
Director

77 2123

Gus Carlson
Riggins,
Idaho

1. Name of Applicant: GUS CARLSON
- Postoffice address: Riggins, Idaho County: Idaho State: Idaho
- I. If applicant is a corporation, give:
- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:
- II. The financial resources of the applicant are:
- (a) Cash on hand: \$2000.00
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources: 5280 Acres Land
2. Quantity of water claimed: Two (2) cubic feet per second.
3. Source of water supply: Allison Creek which is a tributary of Salmon River
4. Location of point of diversion: 1360 feet distant from the NE corner of Section 14, T. 24 N, R. 2 E, B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 24 N., R. 2 E, B.M., County of Idaho
5. Water is to be used for Hydro-electric Power for domestic use.
6. If for mining, milling, power or manufacturing purposes, give:
- (a) Point of use of water: 1700 feet distant from NE corner of Section 14, T. 24 N, R. 2 E, B.M., in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 24 N, R. 2 E, B.M.
- (b) Amount of power generated: 10 H.P., under 55 feet head.
- (c) Water is to be returned to Allison Creek at a point 1700 feet distant from the NE corner of Section 14, T. 24 N, R. 2 E, B.M., in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 24 N, R. 2 E, B.M.
7. Estimated cost of works: \$2000.00
8. Kind of works: Log dam, 16 inch pipe, and 7.5 K.W. generator
9. Height of dam 3.5 feet; length of dam at top 30 feet; length of dam at bottom 20 feet; material used in dam: Logs.
10. Size of headgate: Width 16 inch ~~feet~~; height 16 inch ~~feet~~
11. Ditch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume:
- Diameter of pipe 16 inches; length of conduit 500 feet ~~feet~~
- Average grade per mile 500 feet.
12. The time required for the completion of such work is 2 (Two) years.
13. The time required for the complete application of the water to the proposed use is None additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? ☐ No ☐ If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

GUS CARLSON

Applicant.

Bv

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Jan. 6, 1955

Returned to applicant for correction: Jan. 6, 1955

Corrected application received: Feb. 3, 1955

Approval of State Reclamation Engineer

The number of this permit is 25403

Recorded in Book 90 Page 25403 Approved Feb. 3, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before April 3, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 3, 1956

The whole of said work to be completed on or before February 3, 1957

Beneficial use of water appropriated in accordance herewith, to be made on or before February 3, 1957

WITNESS My hand this 3rd day of February, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ ROBERT E. SMYLIE _____, Governor of the State of Idaho,
and _____ IRA H. MASTERS _____, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this _____ 3rd
day of _____ February _____, 19 55.

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

Secretary of State.

By _____ ROBERT E. SMYLIE

Governor.

REMARKS: Power to be used for domestic purposes.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			AFFIDAVIT TO ESTABLISH RESIDENCE OR QUALIFICATIONS TO DO BUSINESS UNDER THE LAWS OF IDAHO (Individual) I, Gus Carlson of Riggins, County of Idaho, State of Idaho, do hereby certify that I am a bona fide resident of the State of Idaho. GUS CARLSON Subscribed and sworn to before me this 3 day of January, 1955. WALT SCHLEICHER Notary Public Residence Riggins, Ida. My commission expires Dec. 14, 1955 This permit is issued subject to the provisions of Chapter 142 of the 1937 Session Laws as amended by Chapter 66 of the Session Laws of 1947. In the event of its sale, transfer, assignment, or of its being mortgaged, without a compliance with the provisions of this act, it shall be cancelled and revoked by the State Reclamation Engineer.																
			LICENSE ISSUED FOR 2.0 SEC. FT. LICENSE PAGE NO. _____																

Permit No. 25403

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that GUS CARLSON of Riggins, County of Idaho, and State of Idaho, the holder of Permit No. 25403, issued upon Application No. 33280 bearing date of priority of January 6, 1955, authorizing the diversion of 2.0 second feet of the waters of Allison Creek, which is a tributary of the Salmon River County of Idaho, State of Idaho, for Hydro-electric power for domestic use purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.0 second feet of the waters of Allison Creek, which is a tributary of the Salmon River that the point of diversion of said waters 1360 feet distant from the NE corner of Section 14, Township 24 North, Range 2 East B.M. or in the ~~NW~~^{NE} ~~1/4~~^{1/4} of Section 14. Use of said water is described as follow-to-wit: Hydro-electric power for domestic use. Proof of Completion of Works made: February 11, 1957.

Witness my hand this 7th day of March, A.D. 1957.

Proof of Completion of Works made: February 11, 1957
Certificate of Completion of Works issued March 7, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer

RECEIVED

DEC 31 1985

77-2123

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

83 FERC 162,372

Department of Water Resources

Allison Creek Associates) Project No. 9568-000 - *dismissed*
Renewable Resources Development)
and Carlson Hydroelectric Corporation) Project No. 7383-006 - OK

ORDER DISMISSING PRELIMINARY PERMIT APPLICATION

(Issued December 16, 1985)

On November 1, 1985, Allison Creek Associates (Applicant) filed a hydropower preliminary permit application to study the feasibility of developing Project No. 9568. A competing development application, Project No. 7383, was subsequently accepted.

The Commission's policy is to dismiss without prejudice permit applications that compete with development proposals (applications for license or exemption) when they fail to substantiate the technical, environmental, and economic aspects of the proposed project. See Dennis V. McGrew, 32 FERC \$61,229 (Aug. 15, 1985). This policy is based on the premise that substantiation of the permit proposal is a necessary prerequisite to a comparative analysis of competing applications. 1/

Here, the preliminary permit applicant has failed to substantiate its proposal. Accordingly, the application for proposed Project No. 9568 will be dismissed. If the competing development application is subsequently dismissed or denied, the permit application will be reinstated automatically, with its original filing date intact, and the permit applicant will be notified.

If a development application is granted, the preliminary permit applicant will be served a copy of the granting order. The dismissal of the permit application will be with prejudice from the date of that order, and any appeal of the permit dismissal under Rule 1902 must be filed within 30 days from the date of that order.

The Director of the Office of Hydropower Licensing or the Director's designee, under 18 C.F.R. §375.314, orders:

The permit application submitted November 1, 1985, by Allison Creek Associates for proposed Project No. 9568 is dismissed without prejudice.

Don Graber

for Kenneth M. Pusateri
Acting Director, Office of
Hydropower Licensing

- 1/ Dismissal of a permit application without prejudice in these circumstances is within the Commission's administrative powers. See 16 U.S.C. §825h. The Director, Office of Hydropower Licensing, has delegated authority to dismiss permit applications if the applications otherwise qualify for delegated action. See 18

DC-A-10

cc: R
0

Stenc

77-2123

DEC 30 1985

P-7383-006

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Department of Water Re.

Notice of Application Filed with the Commission
(December 11, 1985)

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

- a. Type of Application: License
- b. Project No.: P-7383-006
- c. Date Filed: April 5, 1985
- d. Applicant: Renewable Resources Development
- e. Name of project: Allison Creek
- f. Location: In Nezperce National Forest on Allison Creek in Idaho County, Idaho
- g. Filed Pursuant to: Federal Power Act, 16 U.S.C. §§ 791(a) - 825(r)
- h. Contact Person: Carl Myers
Myers Engineering Company
750 Warm Springs Avenue
Boise, ID 83712
- i. Comment Date: FEB 7 1986
- j. Description of Project: The proposed project would consist of:
(1) a 3-foot-high concrete check structure on the West Fork of Allison Creek at elevation 2890 feet; (2) 3,380-feet of 16-inch-diameter penstock from this diversion to the bifurcation; (3) a 3-foot-high concrete check structure on Allison Creek at elevation 2860 feet; (4) 4,320 feet of 18-inch-diameter penstock from this diversion to the bifurcation; (5) 13,200 feet of 24-inch-diameter penstock from the bifurcation to the powerhouse; (6) a powerhouse containing one generating unit with a capacity of 2,033 kW and an average annual generation of 6,535,600 kWh; and (7) 800 feet of 34.5-kV buried transmission line interconnecting with a new 34.5-kV that will go to a substation in Riggins. Estimated cost of the project would be \$ 2,343,000.
- k. Purpose of Project: Project power would be sold.
- l. This notice also consists of the following standard paragraphs:
A3, A9, B, C, D1

cc: R

A3.

Development Application -- Any qualified development applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit will not be accepted in response to this notice.

A9.

Notice of Intent -- A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, include an unequivocal statement of intent to submit, if such an application may be filed, either (1) a preliminary permit application or (2) a development application (specify which type of application), and be served on the applicant(s) named in this public notice.

B.

Comments, Protests, or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §§385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

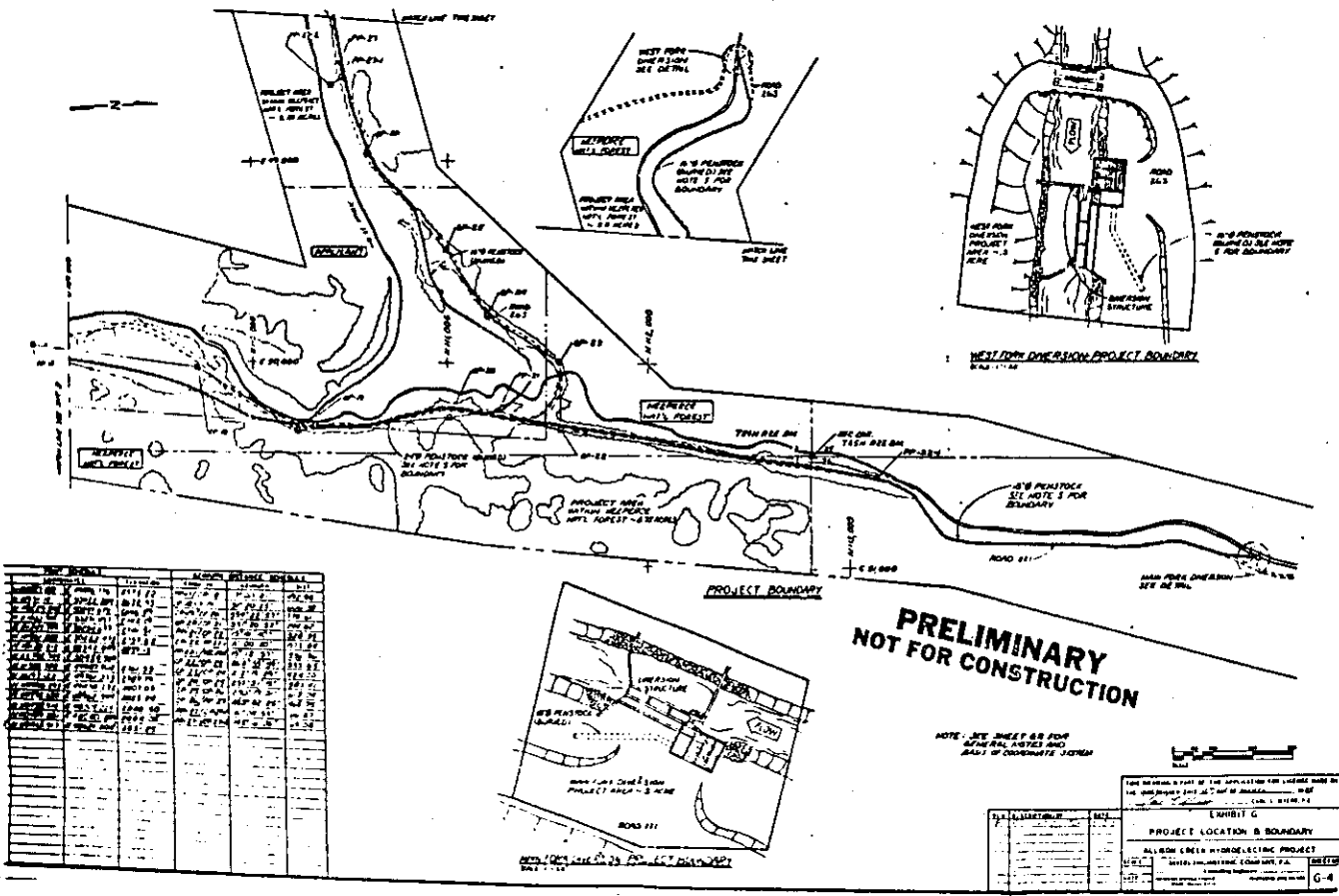
C.

Filing and Service of Responsive Documents - Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing is in response. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Mr. Fred E. Springer, Director, Division of Project Management, Federal Energy Regulatory Commission, Room 203-RB, at the above address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

Agency Comments - Federal State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the National Environmental Policy Act, Pub. L. No. 88-2 and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments with the Commission within the time set for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be set to the Applicants representatives.

Kenneth F. Plumb
Secretary



WATER RIGHT NUMBER 77-2123

OWNER LAST NAME - CARLSON

FIRST NAME - GUS

ORIG OWNER -

VERIFIED LGS

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - RIGGINS

STATE - ID ZIP CODE -

SOURCE - ALLISON CREEK

TRIBUTARY OF - SALMON RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 04-14-1969

COUNTY - IDAHO

TOTAL DIV. RATE -

2.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NW 1/4 24N 02E LOT

REDIV -

272.0 92.0 115.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.8

FROM - 01-01 TO - 12-31 USE - POWER

USE DIV. RATE -

2.0000

CFS

USE DIV. VOLUME -

.00 AFA

USE - POWER

PLACE OF USE - TWN 24N RNC 02E SEC 14

TRACT NENE LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 25403

PROOF MADE -

FLD EXAM -

CONG. OF APPROVAL -

DIVERSION MEANS -

VERIFIED LGS

IDENT. NO. 77-2123

WATER RIGHT
DATA ENTRY LOG

[illegible]

March 20, 1973

Re: Permit No. 25403/77-2123

Mr. Gus Carlson
Riggins,
Idaho 83549

Dear Mr. Carlson:

Enclosed is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of license

77 2123

FIELD REPORT

- TOTAL ACREAGE** _____

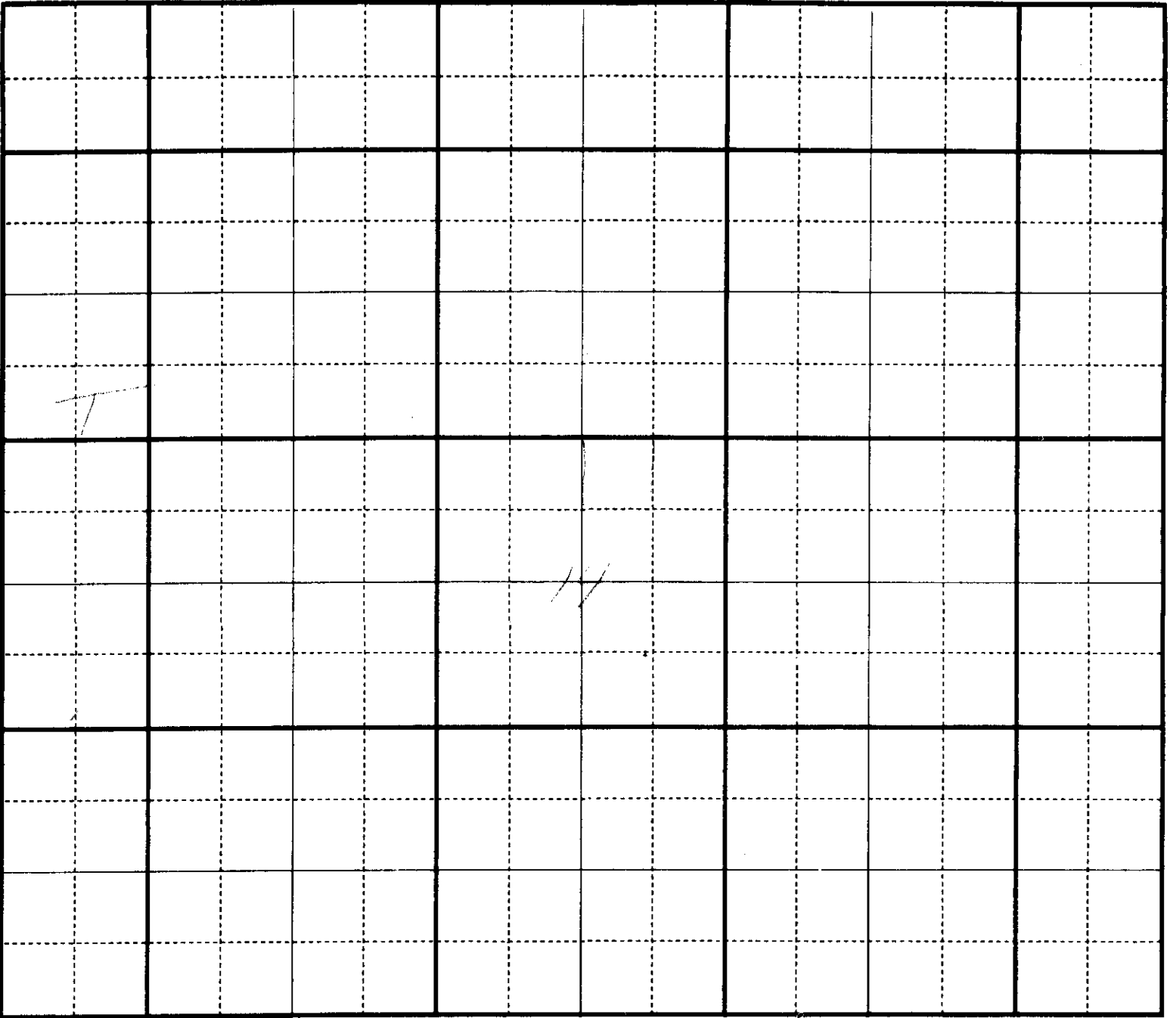


Diagram of System

DATE	EXAMINATION RECORDS
	by: _____
	by: _____
	by: _____
	by: _____

DATE OF EXAM 31 July 1972

ACREAGE
Found N/A
Recommended _____

Irrigation Requirement N/A Ac Ft/Ac

USE
Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q= 2.0 c.f.s. V= N/A AF/Ann. from 1/1 to 12/31
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured N/A non consumptive use Method of measurement _____

Total Q recommended 2.0 Meter No. _____ Type _____ Condition _____

Total V recommended N/A

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:
approx. 1/4 mile 16" to 12" pipeline into powerhouse containing turbine and
Westinghouse 1 phase, 60 cycle, 125 V., 205 amp AC Generator
Serial 1-569891, water discharged back into Allison Creek

REMARKS:
Non Consumptive use; water is discharged back into
Allison Creek after use.

Examiner's Signature McClayne Benson Date 31 July '72

Checked by _____ Date _____

Approved by _____ Date _____

Figgins Idaho
June - 21 - 71

Mr Ronald W McEldowney
Appropriation Supervisor

Dear Mr. McEldowney,

Contact Guy W. Carlson
when you make the final examination
of water power plant as he is
living on ranch. Please let him
know some time in advance
so he can be at Ranch.

Thanked
Guy Carlsson.

RECEIVED

JUN 25 1971

Department of Water Administration

77 2123

June 16, 1971

Re: Permit No. 25403/77-2123

Mr. Gus Carlson
Riggins,
Idaho 83549

Dear Mr. Carlson:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

77 2123

May 18, 1971

Re: Permit No. 25403/77-2123

Mr. Gus Carlson
Box 76
Riggins, Idaho 83349

Dear Mr. Carlson:

The legal notice for the above-referenced permit is being published in the
Idaho County Free Press on May 26th

and June 2nd, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

77 2123

May 18, 1971

Re: Permit No. 25403/77-2123 - Gus Carlson

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Gus Carlson, Box 76, Riggins,
Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

Enc: legal notice

77 2123

1

_____ has received an approved Permit No. 25403/77-2123 issued by the Idaho Department of Water Administration authorized by _____

The priority to be established under this permit is April 14, 1969
and the permit was approved February 3, 1955.

to be used for hydro-electric power for domestic purposes
~~power~~ share
in the

R. KEITH HIGGINSON

Published in the Idaho County Free Press, Grangeville, Idaho,
on May 26th and June 2nd, 1971.

Director:

Gus Carlson
(Signature)

Regino Haki
(Address)

May-17-1971
(Date)

Box 76- 83549 77 2123

May 14, 1971

Re: Permit No. 25403/77-2123

Mr. Gus Carlson
Box 76
Riggins, Idaho 83549

Dear Mr. Carlson:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order which advances the priority under this permit to April 14, 1969.

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a permit holder to make proof of beneficial use.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department. If you will complete and return the enclosed form, we will cause the notice to be published.

Should you require additional forms or information, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Orders (2)
Adv. authorization

77 2123

April 6, 1971

Re: Permit No. 77-2123

Mr. Gus Carlson
Riggins,
Idaho 83549

Dear Gus:

Pursuant to your letter of April 1, 1971, and our telephone conversation of April 2, 1971, please find enclosed the department's proof of application of water to beneficial use form and a claim to a water right form. As you will note, we have completed both of these forms for your convenience by using the information contained in the original application for permit. Please review both of these forms carefully, and if you find them acceptable, please return them and we shall begin their processing. Both of these forms should be signed in the presence of a notary and there will be a \$10.00 filing fee for the claim.

If you should have any questions in reference to this matter, please do not hesitate to contact me.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: proof affidavit, with instructions
claim to a water right form

77 2123

600-33811 Higgins Station
April - 1 - 71

Mr R Keith Higgins

Director

Department of Water Administration
Boise

Permit no - 25403

77-2123

• Dear Mr Higgins

Your Notice as of March 15th received. It is a shock to me why you say this permit should be cancelled. I had thought that I had met all the requirements for the use of this water for electric power. I have answered every letter made every payment completed every form that was mailed to me.

You say failure to submit proof is reason. Proof of Completion of work was mailed back.
Feb. 7-57

Please let me know what requirements that have not been met

Yours very truly
Gus Carlson

77 2123

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

31190

①

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

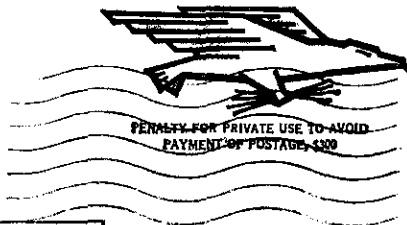
SHOW WHERE DELIVERED (*only if requested*)

③

77 2123

77-2123

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN
TO



77 2123

March 15, 1971

CERTIFIED MAIL #31190

Re: Permit No. 25403 (New No. 77-2123)

Gus Carlson
Riggins,
Idaho 83549

Dear Mr. Carlson:

It appearing to the Department of Water Administration that the terms and conditions of Permit 25403/77-2123 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of water due on February 3, 1957, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before April 24, 1971, why said permit should not be cancelled.

Permit 25403/77-2123 claims the use of 2.0 cubic feet per second of water, the point of diversion was to be located within the NW 1/4, Sec. 14, T. 24N, R. 2E, B.M. and the permit was approved February 3, 1955.



R. KEITH HIGGINSON
Director

77 2123

March 7, 1957

Re: Permit No. 25403

Mr. Gus Carlson
Riggins
Idaho

Dear Mr. Carlson:

We enclose Certificate of Completion of Works issued under Permit No. 25403 for the diversion of 2.0 cubic feet per second of the waters of Allison Creek, with point of diversion in the NE corner of the NW¹/₄NE¹/₄ of Section 14, Township 24 North, Range 2 East B.M., with priority of January 6, 1955, for Hydro-electric power to be used for domestic purposes.

Also enclosed is departmental receipt No. 28474 for \$5.00 issued for the payment of the \$5.00 fee for a Certificate of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Enclosures (2)

25403

February 28, 1957

Re: Permit No. 25403

Mr. Gus Carlson
Riggins
Idaho

Dear Mr. Carlson:

We acknowledge receipt of your Proof of Completion of Works made in connection with the above captioned permit.

Before we can issue a Certificate for Completion of Works it will be necessary that you remit the \$5.00 fee which is a statutory fee for such Certificate.

Your immediate attention to this matter will be greatly appreciated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls

25403

Permit No. 25403STATE OF IDAHO
Department of Reclamation

Proof of Completion of Work

AFFIDAVIT OF HOLDER

RECEIVED
FEB 14 1957

Department of Reclamation

STATE OF IDAHO

County of Idaho } ss.Paul Carlson, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 25403, and that his postoffice address is Higgins Id.
State of Id.

Second: That the name of the stream from which said water is to be diverted is

AWSON C. CREEKThird: That the point of diversion of said water is 1360' from NE corner of sec 14, T.24N. R.2E. 2E BM county of Idaho and in NW 1/4 NE 1/4 Sec 14, T.24N. R.2E.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb 13, 1957.Fifth: That the use for which said water is intended is Hydro-Electric Power for domestic use

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of Works: —

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work: 600' dam + conduit 16" pipe(a) Height of dam 3.5 feet, length of dam at top 30 feet, length of dam at bottom 20 feet. Material used in construction 600' + conduit.

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir — acre feet.(c) Size of headgate: Width 16" feet, height 16" feet.(d) Conduit pipe width at bottom — feet, width at water line —

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water — feet; diameter of pipe 16" inches, average grade per mile is 500' feet. Length of conduit is 500' miles.Seventh: That said works are capable of conducting to the place of intended use 2.0 second feet of water.Eighth: That water appropriated under said permit is available for — acres of land described as follows:Ninth: Remarks:—That power to be used for domestic usePaul Carlson
(SIGN HERE)Subscribed and sworn to before me this 11 day of February, 1957Walt. Schleicher

NOTARY PUBLIC

My commission expires Dec 14, 1959

25403

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

December 1, 1956

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Gus Carlson
Riggins
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 25403 you are required to complete your diversion works on or before February 3, 1957. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP
State Reclamation Engineer

25403

XXXXXXXXXX

ROBERT E. SMYLYE

February 8, 1955

RE: Permit No. 25403

Mr. Gus Carlson
Higgins
Idaho

Dear Mr. Carlson:

We enclose Permit No. 25403 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

We also enclose departmental receipt No. 27170 for the \$5.25 filing fee.

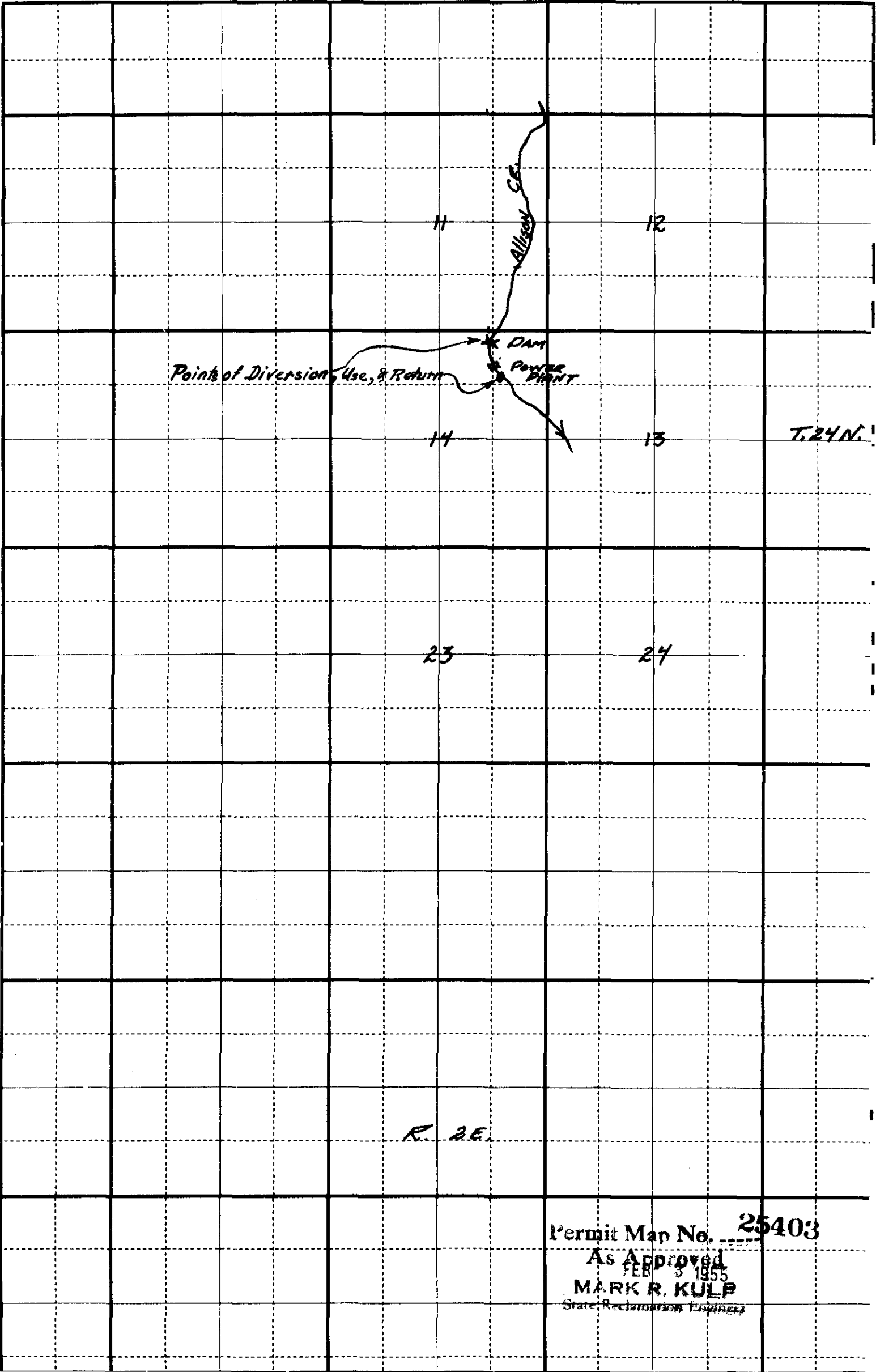
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

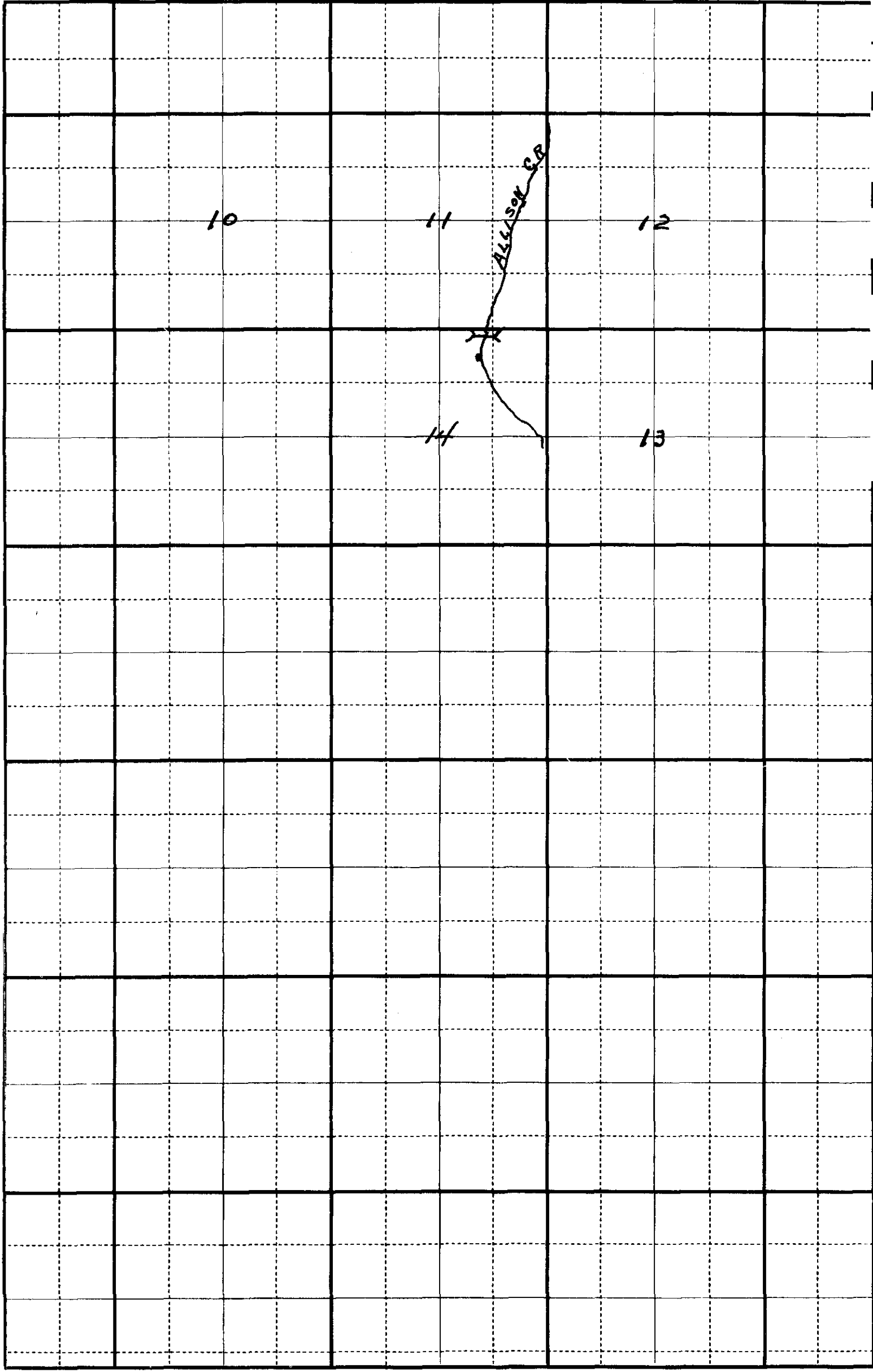
25403



Permit Map No. 25403
As Approved
FEB 3 1955
MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT Gus Carlson.

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25403

January 12, 1955

Mr. Gus Carlson
P. O. Box 606
Riggins, Idaho

Dear Mr. Carlson:

In reply to your request of January 10, 1955, we
enclose another form of Application for Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou
Enc.

25403

James L. La
Jan - 10 - 55

State Reclamation Engineer.
Boise
Ida

Dear Sir:

Please send application
blanks for water power purpose.
as the blanks I have have ink spilled
on and are not presentable.

Yours very truly
James L. La

RECEIVED
JAN 12 1955
Department of Reclamation

25403

January 6, 1955

Mr. Gus Carlson
Box 606
Riggins, Idaho

Dear Mr. Carlson:

We have your application for permit to appropriate 2 second feet of water from Allison Creek accompanied by your check for the \$5.25 filing fee.

We return the application in order that you may answer Question 6 giving the location of the point of use and point of return.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

25403