

**ORIGINAL**



**United States Department of the Interior**

**BUREAU OF LAND MANAGEMENT**  
Oregon State Office  
P.O. Box 2965  
Portland, Oregon 97208

**FILED**  
**OFFICE OF THE**  
**SECRETARY**

IN REPLY REFER TO:  
1780 (OR-932)

**2007 OCT 12 P 2:53**

OCT 11 2007

**FEDERAL ENERGY**  
**REGULATORY COMMISSION**

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street Northeast  
Washington, D.C. 20426

Re: Shankers Bend Hydroelectric Project, FERC No. 12804-0000

Dear Secretary:

This letter is in reference to the Notice of Application for a Preliminary Permit for the Shankers Bend Hydroelectric Project (Federal Energy Regulatory Commission (FERC) No. 12804-000). The Department of the Interior (DOI) Bureau of Land Management (BLM), Spokane District administers 3,095 acres of public lands that have been segregated from entry under the public land laws that would be affected by the proposed project. The lands segregated from entry are included in a tabular format as Attachment 1. The master title plats that correspond to the legal descriptions are also included in Attachment 1. This information has been provided to the Okanogan Public Utility District to aid in project planning and analysis.

Pursuant to the Federal Power Act, the BLM as a Bureau of the DOI has responsibility and authority to review and develop conditions for federal licenses issued for the maintenance and operation of hydropower facilities if it is demonstrated that the maintenance and operation of such facilities have the potential to affect BLM-administered resources and should be mitigated.

The BLM, Spokane District, would like to request intervener status in this administrative proceeding and to be included on the FERC Service List for this project. Correspondence should be directed to the following individuals:

Robert Towne  
District Manager  
Spokane District  
Bureau of Land Management  
1103 N. Fancher Road  
Spokane, Washington 99212

Rosemary Mazaika  
Water Program Manager  
Oregon State Office  
Bureau of Land Management  
333 SW First Avenue  
Portland, Oregon 97204

Sincerely,

*for* Michael J. Haske  
Acting, Deputy State Director for  
Resource Planning, Use and Protection

cc:

OR-932 (Rosemary Mazaika)

OR-130 (William Schurgar, Sally Sovey)

**Preston Sleeper**

**Regional Office of Environmental Policy Compliance**

**Pacific Northwest Region**

**500 NE Multnomah Street, Suite 356**

**Portland, OR 97232**

**SHANKER'S BEND HYDROELECTRIC PROJECT NO. 12804 (WAOR 64299)  
FERC PRELIMINARY PERMIT APPLICATION WITHDRAWAL  
PUBLIC UTILITY DISTRICT NO. 1 OF OKANAGON COUNTY, WASHINGTON**

The following described Federal lands (refer to Table One) have been withdrawn from entry under the public land laws by the filing of the Shanker's Bend Hydroelectric Preliminary Permit application with the Federal Energy Regulatory Commission (FERC). The proposed "high dam" option (260-feet) was used to determine which lands of the United States have been segregated based on the smallest legal subdivisions that may be occupied in whole or in part by the project (18 CFR § 4.81(e)(3) (ii)).

The project boundary location was projected using the 400-m contour level on the United States Geological Survey 1:24,000 scale topographic maps. The potential, normal pool elevation for the proposed high dam would be 1,289 feet (400 m equals 1,312 ft). The potential maximum size of the reservoir was used so that all of the Federal lands which may be needed for the project are segregated from entry under the public land laws. Approximately 3,095 acres of Federal land have been segregated.

In addition, some private lands (refer to Table Two) with water power reservations under Section 24 of the Federal Power Act are also described. The FERC may include these private lands in the determination of reasonable annual charges for use of government lands located within the proposed project boundary (18 CFR § 11.2(a)).

The Federal lands segregated by the preliminary permit application are shown on the attached Master Title Plats. When the preliminary permit is issued, the Federal lands shall also be withdrawn from mineral entry under the U.S. mining laws subject to valid existing rights.

Table One Summary of Federal Lands Located Within the Proposed Project Boundary for Shanker's Bend Project No. 12804 – WAOR 64299						
Twncshp	Range	Sec	Subdivision (Willamette Meridian)	Legal Sub A <sup>1</sup>	A <sup>2</sup>	
38 N	25 E	01	Lot 9	14.00	< 1	
		02	Lot 7	23.18	< 1	
39 N	25 E	01	Lot 1 (Bur of Reclamation Wdl)	0.60	0.60	
		12	Lot 3	28.40	11	
		13	Lot 8	39.44	2	
				W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	20.00	2
				E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	20.00	6
			24	Lot 3	43.18	12
				Lot 4	42.84	1
			25	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00	14
				NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00	31
				NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	10.00	4
		35	Lot 5	14.80	12	

40 N	25 E	04	Lot 2	22.18	13
			Lot 6	36.50	22
		05	Lot 5	2.70	2.70
			Lot 14	24.21	8
			Lot 15	37.96	4
			Lot 17	39.39	2
		08	Lot 1	1.84	1.84
			Lot 2	6.40	6.40
			Lot 12	39.96	< 1
			Lot 13	40.34	< 1
			Lot 14	38.53	3
			Lot 15	17.22	< 1
		09	W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	20.00	5
		12	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.00	4
			NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.00	< 1
			E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$	40.00	13
		13	Lot 7	31.75	12
			Lot 13	17.19	14
			Unnumbered lot in SE $\frac{1}{4}$ SW $\frac{1}{4}$	33.00	3
			NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	10.00	< 1
			NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.00	3
			Part of Bullion Lode No. 1	6.00	3
			Part of Bullion Lode No. 2	12.00	5
			MS 115 B	5.00	5
			MS 117 B	5.00	5
			MS 118 B	5.00	5
			MS 119 B	5.00	5
		14	Lot 8	10.16	3
			Unnumbered lot in SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	?	< 1
			Part of Bullion Lode No. 1	5.00	< 1
		17	Lot 1	38.50	< 1
			NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.00	3
		20	N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	20.00	5
			E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	20.00	11
			E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	20.00	5
		21	Unnumbered lot in SW $\frac{1}{4}$ SW $\frac{1}{4}$	29.00	9
		22	SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.00	2
		23	Lot 3	28.35	< 1
			Lot 7	33.90	2
			Lot 8	26.10	7
			Lot 12	27.15	13
			Lot 13	27.70	10
			Lot 20	16.42	15
			Lot 25	0.20	0.20
			Lot 26	29.95	25

			E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$	40.00	14
			W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	20.00	7
		24	Lot 2	36.85	11
			Lot 3	0.03	0.03
			Lot 4	39.94	2
			Part of MS 116 B	0.03	0.03
		26	Lot 1	27.60	7
			Lot 5	0.20	0.20
			Lot 8	30.10	3
			Lot 9	16.30	< 1
			Lot 10	11.80	5
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00	< 1
		27	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00	20
		28	Lot 1	0.89	0.89
			Lot 5	14.69	10
			Lot 11	40.04	< 1
		34	E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.00	4
39 N	26 E	07	Lot 5	8.70	< 1
		18	Lot 2	1.40	< 1
			Lot 4	34.00	14
			Lot 7	24.65	14
			Lot 8	42.85	13
		19	Lot 1	28.25	4
40 N	26 E	04	Lot 12	3.45	3.45
			S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	20.00	2
			S $\frac{1}{2}$ SE $\frac{1}{4}$	80.00	32
		05	Lot 8	7.75	7.75
			S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$	40.00	8
		06	S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$	40.00	16
		07	Lot 6	51.20	25
			Lot 7 (Bur of Reclamation Wdl)	49.40	19
		08	Lot 1	37.40	15
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00	12
		09	Lot 1	19.60	18
			Lot 2	26.55	26.55
			Lot 3	48.20	16
			Lot 4	44.10	13
			Lot 5	47.65	20
			NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.00	< 1
		10	Lot 1	41.35	31
			Lot 2	24.65	19
			Lot 3	39.70	18
			Lot 6	30.10	27
			Lot 10	26.15	17
			Lot 11	0.64	0.64

			Lot 12	13.78	13.78
			SW¼NE¼NW¼	10.00	2
	11		Lot 1	30.70	19
			Lot 2	58.65	28
			Lot 3	46.40	41
			Lot 9	29.34	2
			Lot 10	23.98	23
			SE¼NE¼NE¼	10.00	5
			S½NE¼NW¼	20.00	< 1
			SE¼SE¼	40.00	40
	12		Lot 1	44.50	44.50
			Lot 2	38.00	38.00
			Lot 3	17.90	17.90
			Lot 4	26.75	26.75
			Lot 5	42.98	42.98
			Lot 6	30.30	30.30
			Lot 7	42.10	42.10
			NE¼NW¼	40.00	40
	13		Lot 2	18.70	18.70
			Lot 3	39.50	39.50
	31		N½S½SE¼SW¼	10.00	6

<sup>1</sup> Acreage estimate of Federal land withdrawn by application 3,095.83

<sup>2</sup> Acreage estimate of Federal land within the projected project boundary 1,328

Table Two Summary of Private Lands With Section 24 FPA Reservations Located Within the Proposed Project Boundary for Shanker's Bend Project No. 12804 – WAOR 64299				
Twنشp	Range	Sec	Subdivision (Willamette Meridian)	Acres*
39 N	25 E	01	Lot 2	18
		02	Lot 7	23.5
			Lot 8	17.5
			Lot 9	< 1
			Lot 10	15
			Lot 11	14
			Lot 12	9
40 N	26 E	31	Lot 4	7

\*Acreage estimate Sec 24 FPA reservations within projected project boundary 104