

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 2785-078
Sanford Project
Boyce Hydropower, LLC

Mr. Lee Mueller
Boyce Hydropower, LLC
4132 S. Rainbow Blvd #247
Las Vegas, Nevada 89103

May 23, 2012

Subject: Extension of Time Pertaining to Article 5 Compliance

Dear Mr. Mueller,

This letter is in response to Boyce Hydropower, LLC's (Boyce) April 30, 2012 request for an extension of time to comply with standard Article 5 of the Sanford Project (FERC No. 2785) license.

The filings states that Boyce has made substantial progress in the development of a database that identifies the property owners of land within the projects boundary. Boyce provided updated maps to Commission staff during a March 28, 2012 meeting, held at the Commissions Washington, D.C. office. As of April 2012, Boyce obtained legal descriptions for approximately 1,100 tax parcels, which Boyce is scanning into their electronic database. Once completed, the property ownership database and resulting map of all parcels will confirm the correct ownership of lands and residential structures that are located within the Sanford project boundary. Boyce plans to share this information with the Commission to consult on the actions required regarding the encroachments into the project boundary.

Due to the time involved with resolving remaining property ownership questions and actions concerning the encroachments, Boyce is requesting an extension of time until April 19, 2013 to resolve the Article 5 issues. Boyce proposes to continue filing quarterly reports on the 19th of July and October of 2012, and January and March of 2013.

P-2785-078

- 2 -

We have reviewed the extension of time request and the Commission's records related to Sanford's Article 5 issues, and agree that an extension of time is justifiable. Therefore, Boyce has until April 19, 2013 to provide the Commission with information required to show compliance with standard Article 5 of its license. Prior to April 19, 2013, Boyce must file quarterly reports, which at a minimum should include: (1) actions Boyce has taken to resolve the Article 5 concerns since the previous filing; (2) documentation of resolved ownership rights thus far; and (3) an updated plan and schedule detailing a timeline associated with bringing the property rights issue to a close on or before April 19, 2013.

Your next report is due July 19, 2012. When filing your report, please indicate P-2785-078 on the first page of your letter. Please be advised that, while Commission staff will continue to track and review these quarterly filings, staff will not be issuing acknowledgement letters, unless further Commission action or additional information is needed. When your filings for this quarterly requirement are posted on the Commission's e-Library system, you may consider that as acknowledgement of the Commission's receipts of your submittal.

Additionally, during our review of this project staff noted that the Exhibit G drawings currently on file with the Commission are out of date and of poor quality. Attached to this letter are copies of these drawings. The updated drawings provided to staff at the March 28, 2012 meeting, provide a clearer map of the project boundary. We are requiring that within 60 days of the date of this letter, you file updated Exhibit G drawings with the Commission. Please refer to sections 4.39 and 4.41 of the Commission's regulations when preparing the exhibit drawings.¹ For additional guidance, you may also refer to the Managing Hydropower Project Exhibit Guidance Document, available on the Commission's website.²

If you have any questions concerning this letter, please contact Krista Sakallaris at (202)502-6302.

Sincerely,



Charles K. Cover, P.E.
Chief, Project Review Branch
Division of Hydropower Administration
and Compliance

¹ 18 C.F.R. §4.39 and 4.41 (2011)

² <http://www.ferc.gov/industries/hydropower/gen-info/guidelines/drawings-guide.pdf>

P-2785-078

- 3 -

**cc: John H, Clements
Van Ness Feldman
1050 Thomas Jefferson St. NW
Washington, DC 20007**

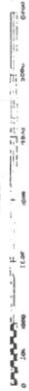
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MIDLAND CO.
MICHIGAN.

WOLVERINE POWER COMPANY. MAP OF PROPOSED SANFORD DEVELOPMENT TITTABAWASSEE RIVER

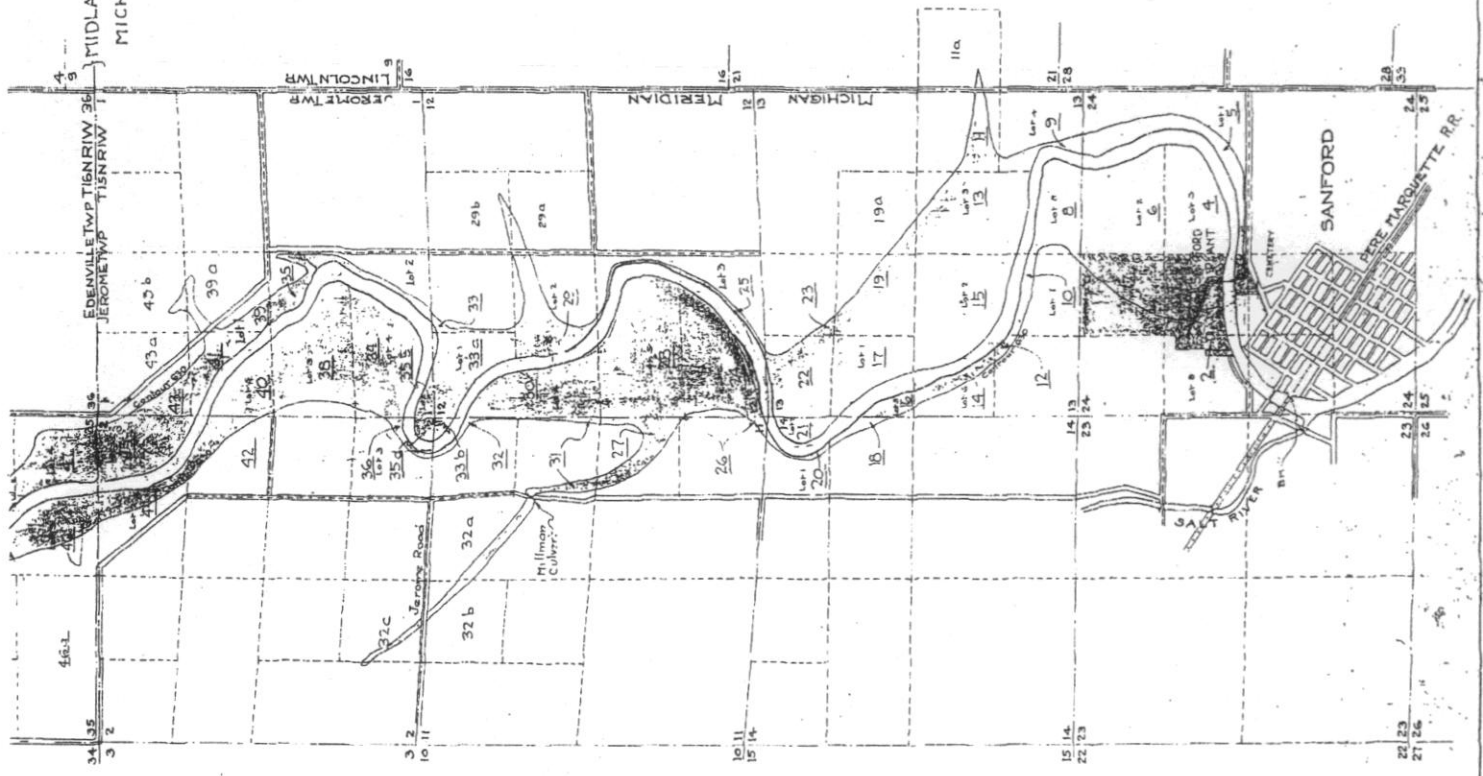
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Ann Arbor Chicago
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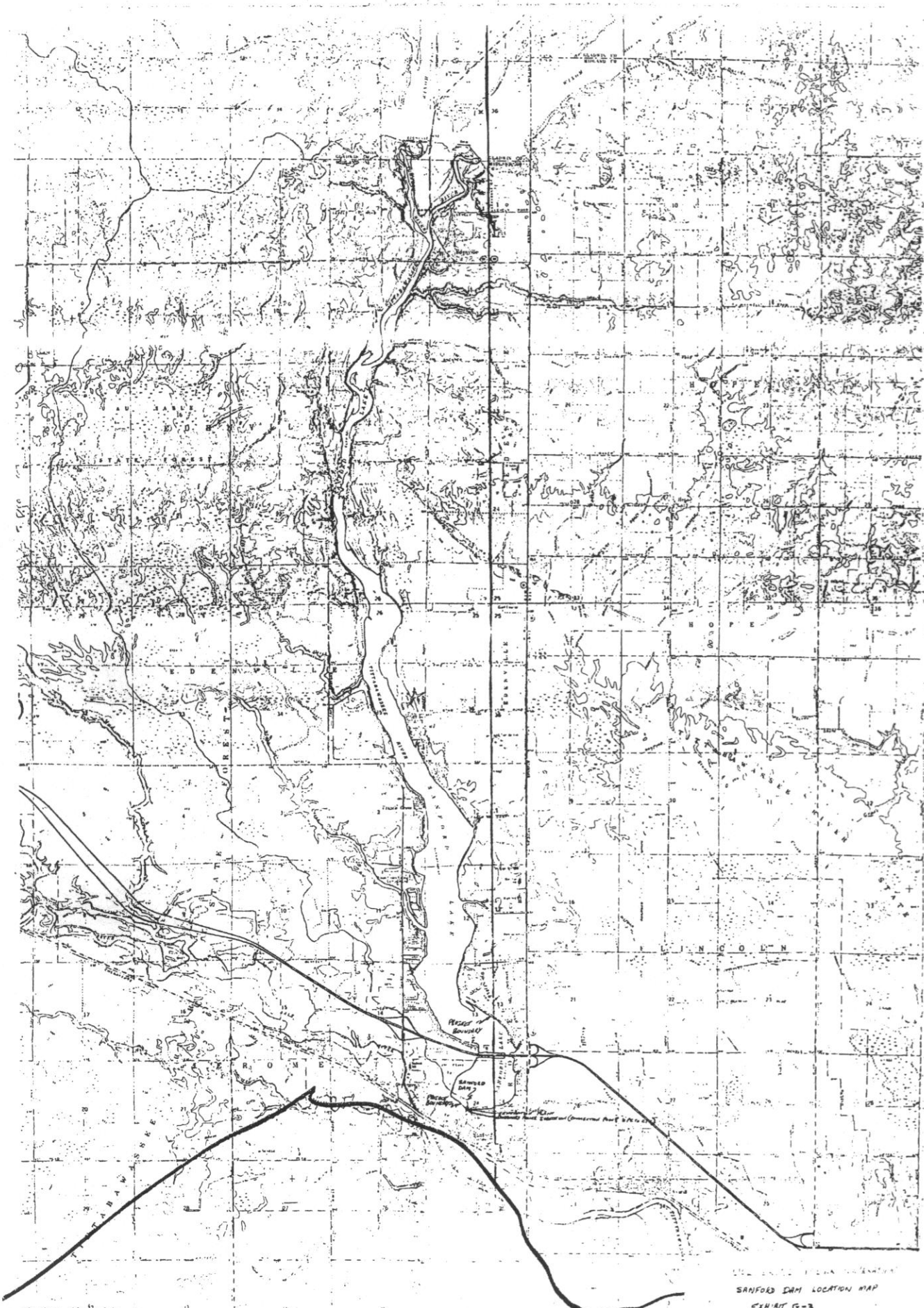
Revised 1931
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Revised 1932
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PLANT 62
FERC Drawing No. 7786-1

THIS
FIGURE





SANFORD DAM LOCATION MAP
EXHIBIT G-3

SCALE 1:24000
FERC # 2780-B

THIS DRAWING IS A PART OF THE
APPLICATION FOR LICENSE FOR
SANFORD DAM, FERRIS COUNTY, MINN.
FILED 5/23/12

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