

Orr Affidavit

Exhibit 67

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OCT 19 2009

DEPARTMENT OF
WATER RESOURCES

Excerpted pages of a letter from B.E.
Stoutemyer, District Counsel, U.S. Bureau of
Reclamation, to the Commissioner,
U. S. Bureau of Reclamation
(Mar. 12, 1940)

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION
603 Post Office Building
Portland, Oregon

March 12, 1940.

MEMORANDUM for the Commissioner,

Concerning the provisions of the contracts between the United States and the Idaho Power Company, the conditions which led to the contracts in question, and the purposes which have been accomplished by the contracts.

The Government has three power plants in connection with its reclamation projects in Idaho. All of the power plants were constructed for reclamation purposes, and in so far as there has been any power production for commercial purposes it has been merely incidental to the main purpose of reclaiming the arid lands under the reclamation act.

Minidoka
Power
Plant

The largest of the 3 government power plants in Idaho is the one at the Minidoka Dam, in connection with the Minidoka reclamation project. It has a generating capacity of about 10,000 kilowatts. This plant has been enlarged several times, and another unit is now in process of construction. The demands for power for irrigation pumping on the Minidoka project -- mainly in the Burley Irrigation District -- have grown to such an extent that the irrigation pumping requirements alone now require all, and at some times more power than is available from the total capacity of the Minidoka plant, thus leaving no firm power at all from the Minidoka

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mission lines and other equipment connected with the Minidoka Project for distributing power received in exchange for Black Canyon power, in no way interfered with the use of the same equipment in distributing power generated at the Minidoka power plant or in distributing power used in the Burley Irrigation District and other points outside the Minidoka Irrigation District and in no way increases the depreciation of these facilities. Furthermore, the restricted use of the Minidoka power plant during the period between October 1 and April 1 of the succeeding year reduces the cost of operating the plant, diminishes its wear and tear and consequent depreciation, and facilitates repairs to the plant and equipment by allowing ample time to make any needed repairs.

B. E. Stoutenmeyer