

Cefalo, James

From: Cefalo, James
Sent: Wednesday, April 14, 2021 1:04 PM
To: 'John Simpson'; Pugrud, Scott; 'TJ Budge'; Jerry Rigby; 'Rob Harris'; 'Matt J. Howard Esq. (mhoward@usbr.gov)'; Michael Orr; matthew.watts@sol.doi.gov
Subject: Application for Permit 1-7128 (Idaho Power Company)
Attachments: Draft Permit 1-7128.pdf

Dear Parties:

I apologize that it taken me a couple of weeks to turn my attention to the Stipulation for Withdrawal of Protest. Prior to issuing a permit, I think it is worthwhile to circulate a draft permit and provide the parties an opportunity to review the permit and identify any errors or concerns. Consistent with the Stipulation, I included the subordination condition found on the other power rights at the American Falls plant. In our conferences over the last two years, there was some discussion about a direct subordination to the Palisades powerhead water right (Permit 1-10401). I've never seen a copy of the proposed direct subordination condition. After reviewing the draft permit, however, I don't think a direct subordination is necessary. By removing the "other than hydropower" phrase from the subordination condition, Permit 1-10401 falls within the future rights covered by the general subordination condition. If Idaho Power Company, the Bureau of Reclamation or the State of Idaho see it differently, please provide me a copy of the proposed direct subordination condition.

Please let me know if you notice any errors or have any concerns with the draft permit on or before April 28th.

James Cefalo
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