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DEPARTMENT OF
WATER RESOURCES

BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

IDAHO POWER COMPANY) PROJECT NO. 2899

APPLICATION FOR
AMENDMENT OF LICENSE

I.

Idaho Power Company and Milner Dam, Inc. ("Applicants") apply to the Federal Energy Regulatory Commission ("Commission") for an amendment of the license for Project No. 2899 (Milner Project). Applicants respectfully request the Commission to amend Article 415 of the license to increase the time period when whitewater releases are potentially available at the Milner Project.

II.

The exact name, business address and telephone number of the Applicants are:

Idaho Power Company
1221 West Idaho Street
P.O. Box 70
Boise, Idaho 83707
(208) 388-2713

Brian Olmstead
Milner Dam, Inc.
357 6th Avenue West
Twin Falls, Idaho 83303-0326
(208) 733-6731

The Commission is requested to send copies of all communications, orders, and correspondence on this Application directly to:

Rex Blackburn
Senior Vice President and
General Counsel
Idaho Power Company
1221 West Idaho Street
P.O. Box 70
Boise, Idaho 83707-0070

Nathan F. Gardiner
Idaho Power Company
1221 West Idaho Street
P.O. Box 70
Boise, Idaho 83707-0070

III.

The Applicants are domestic corporations and co-licensees of the water power project designated as Project No. 2899 in the records of the Federal Energy Regulatory Commission, issued on the 15th day of December, 1988.

IV.

The first paragraph of Article 415 of the license for the Milner Project reads as follows:

Upon receiving a whitewater release request by two or more boaters by 3:00 p.m. on Friday before the weekend and after at least two boaters have checked in at the main powerhouse on the day of the whitewater release, the licensees shall not operate the main powerhouse, located 1.6 miles downstream of Milner Dam, for up to 4 weekend days (included is the observed Memorial Day holiday) from 10:00 a.m. to 3:00 p.m. between May 1 and June 30, when inflow to the Milner Project, in excess of irrigation demands, is between 10,000 and 12,500 cfs. Powerhouse operation will resume when

inflow in excess of irrigation demand is greater than 12,500 cfs and utilize for generation any flows in excess of 12,500 cfs. The licensees are required by Article 417 to provide a communication network used to predict the volume of streamflow that will be available for whitewater boating during May and June.

V.

Pursuant to paragraph (C) of Article 415 of the license for the Milner Project, Applicants notified Idaho Department of Parks and Recreation (IDPR), Idaho Department of Water Resources (IDWR), Idaho Department of Fish and Game (IDFG), Idaho Whitewater Association (IWA), American Whitewater (AW), Bureau of Land Management (BLM), National Park Service (NPS), Bureau of Reclamation (BOR), and Idaho Rivers United (IRU) of a consultation meeting to be held November 12, 2009, to discuss among other things, whether Article 415 should be amended. See Applicants' letter to FERC dated December 28, 2009, with attached report (Attachment A). Representatives from IDPR, IRU, IWA and Banks Magazine attended the consultation meeting. See Attachment A.

VI.

During the consultation meeting a suggestion was made to include April as time when whitewater releases would be potentially available at the Milner Project. This suggestion is acceptable to Applicants.

VII.

Applicants request that the license for the Milner Project be amended to include April as a month when whitewater releases are potentially available at the Milner Project. Specifically, Applicants request that the first paragraph of Article 415 of the license for the Milner Project be amended to read as follows:

Upon receiving a whitewater release request by two or more boaters by 3:00 p.m. on Friday before the weekend and after at least two boaters have checked in at the main powerhouse on the day of the whitewater release, the licensees shall not operate the main powerhouse, located 1.6 miles downstream of Milner Dam, for up to 4 weekend days (included is the observed Memorial Day holiday) from 10:00 a.m. to 3:00 p.m. between April 1 and June 30, when inflow to the Milner Project, in excess of irrigation demands, is between 10,000 and 12,500 cfs.

Powerhouse operation will resume when inflow in excess of irrigation demand is greater than 12,500 cfs and utilize for generation any flows in excess of 12,500 cfs. The licensees are required by Article 417 to provide a communication network used to predict the volume of streamflow that will be available for whitewater boating during April, May and June.

VIII.

The proposed non-capacity related amendment of Article 415 of the license for the Milner Project is necessary if the Commission concludes, as did the Applicants, that amendment of Article 415 is necessary to increase the time period when whitewater releases are potentially available at the Milner Project.

IX.

(i) Applicants are not aware of any statutory or regulatory requirements of the state in which Project No. 2899 is located that affect the proposed amendment to Project No. 2899 with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes.

(ii) The steps which the Applicants have taken or plan to take to comply with each of the laws cited above are:

Not applicable. See IX(i) above.

X.

WHEREFORE, based on the foregoing, Applicants request that Article 415 of the license for the Milner Project be amended as set forth above.

DATED this 7th day of Sept, 2010.

IDAHO POWER COMPANY

By: Lisa A. Grow
Lisa A. Grow
Senior Vice President – Power Supply

MILNER DAM, INC.

By: Brian Olmstead
Title: Authorized Representative

VERIFICATION

STATE OF IDAHO)
 : ss.
County of Ada)

LISA A. GROW, being duly sworn, deposes and says that she is the Senior Vice President – Power Supply of IDAHO POWER COMPANY, that she has read the foregoing Application for Amendment of License and knows the contents thereof; and that the same is true to the best of her knowledge or belief.

By Lisa A. Grow
Lisa A. Grow

SUBSCRIBED AND SWORN TO before me, a Notary Public of the State of Idaho, this 7th day of September, 2010.



Fran Martin
Notary Public
Residing at Boise, Idaho
Commission Expires 4.10.11

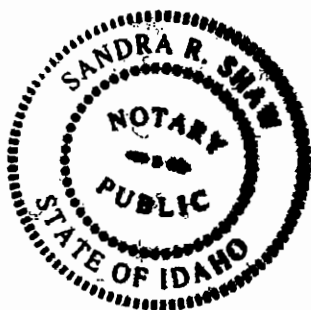
VERIFICATION

STATE OF IDAHO)
 : ss.
County of Ada)

BRIAN OLMSTEAD, being duly sworn, deposes and says that he is the Authorized Representative of MILNER DAM, INC., that he has read the foregoing Application for Amendment of License and knows the contents thereof; and that the same is true to the best of his knowledge or belief.

By Brian Olmstead
Brian Olmstead

SUBSCRIBED AND SWORN TO before me, a Notary Public of the State of Idaho, this 8th day of September, 2010.

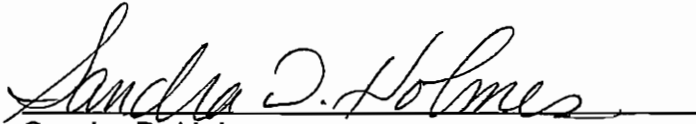


Sandra R. Shaw
Notary Public
Residing at Boise, Idaho
My Commission Expires Aug. 9, 2016

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Application was served upon each person designated on the attached Service List.

DATED this 9 day of Sept., 2010.

A handwritten signature in cursive script, reading "Sandra D. Holmes", written over a horizontal line.

Sandra D. Holmes
Idaho Power Company
P.O. Box 70
Boise, ID 83707-0070
(208) 388-2688

SERVICE LIST

Nancy Merrill, Director
Idaho Department of Parks and Recreation
5657 Warm Springs Avenue
Boise, Idaho 83716-8712

Cal Groen, Director
Idaho Department of Fish and Game
600 South Walnut Street
Boise, Idaho 83707

Mark Singleton, Executive Director
American Whitewater
P.O. Box 1540
Cullowhee, NC 28723

U.S. Department of the Interior
National Park Service
1849 C Street, N.W.
Washington, DC 20240

Karl Wirkus, Regional Director
U.S. Bureau of Reclamation
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

Gary Spackman, Director
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098

Kevin Lewis, President
Idaho Whitewater Association
Kevin@idahorivers.org

Peter Ditton, Director
Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709

Bill Sedivy, Executive Director
Idaho Rivers United
P.O. Box 633
Boise, Idaho 83701

ATTACHMENT A



December 28, 2009

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

Re: E-filing the Biennial Report per Requirements of the Amended License Article 415
(Issued April 9, 2001) requiring flow releases—for the Milner (FERC No. 2899) Hydroelectric Project.
This is a Public classification document.

Dear Ms. Bose:

Please accept for electronic filing the Article 415, Whitewater Flow Report, summarizing whitewater use at the Milner Bypassed Reach for calendar years 2008/2009.

During this time period, IPC experienced flows in the bypassed reach adequate for whitewater use during May and June, yet there were no requests made via the boater reservation system and no use documented.

In November of 2009, IPC noticed and held a consultation meeting per the requirements of Article 415 to review the adequacy of the whitewater reservation system. The attached report will summarize and serve to document this four year requirement, including letters sent to the consulting entities and the responses that were received. Based on their recommendations, IPC intends to file an amendment to Article 415 to include the month of April to the existing requirement of May and June to provide for up to 4 weekend days to make a water release request. By way of copy, IPC will notice the required agencies and entities of this filing.

Sincerely,

L. Lewis Wardle
Compliance Program Manager
Hydro Licensing Department
(208)-388-2964
e-mail: lwardle@idahopower.com

LLW/

[Insert Enclosure Notations]

cc: Dwayne Wood, IPC
Fred Noland, IPC
Nathan Gardiner, IPC
Brian Olmstead, TFCC



December 28, 2009

Milner Project

Dwayne L. Wood
Supervisor Recreation Programs

2009 Whitewater Release Request System Biennial Report and Four-Year Consultation Results

Compliance Report

Milner, FERC Project No. 2899 (Article 415)

December 2009

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(Article 415) Whitewater Release Request System

Upon receiving a whitewater release request by two or more boaters by 3:00 p.m. on Friday before the weekend and after at least two boaters have checked in at the main powerhouse on the day of the whitewater release, the licensees shall not operate the main power house, located 1.6 miles downstream of Milner Dam, for up to 4 weekend days (included is the observed Memorial Day holiday) from 10:00 a.m. to 3:00 p.m. between May 1 and June 30, when inflow to the Milner Project, in excess of irrigation demands, is between 10,000 and 12,500 cfs. Powerhouse operation will resume when inflow in excess of irrigation demand is greater than 12,500 cfs and utilize for generation any flows in excess of 12,500 cfs. The licensees are required by Article 417 to provide a communication network used to predict the volume of streamflow that will be available for whitewater boating during May and June.

The licensees shall file a report with the Commission by January 1 every other year beginning January 1, 2002, that lists by month for April through June 1) the total number of whitewater release requests received by the licensees, 2) the dates, times and durations of when whitewater releases were made by the licensees, 3) the amount of flow provided by licensees through the bypass reach for each day whitewater releases were made, 4) the total number of boaters using the bypass reach observed by the licensees for each day whitewater releases were made and 5) when applicable, the results of the November meeting required in ordering paragraph (B). Copies of the report shall be sent to Idaho Department of Parks and Recreation, Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

The licensees shall consult with Idaho Department of Parks and Recreation, Idaho Department of Water Resources, Idaho Department of Fish and Game, Idaho Whitewater Association, American Whitewater, Bureau of Land Management, National Park Service, Bureau of Reclamation, Idaho Rivers United and other interested parties in 2005, and every four years thereafter, to assess whether use patterns have changed and if requirements of article 415 should be amended. The results of this meeting shall be filed with the Commission in the report required in order paragraph (B).

1. INTRODUCTION

In 2006, water was available to provide whitewater releases in the Milner Bypass Reach, but no whitewater release requests were made.

In 2007 and 2008, there was insufficient water available to provide whitewater releases in the Milner Bypass Reach. No whitewater release requests were made.

In 2009, water was available to provide whitewater releases in the Milner Bypass Reach, but no whitewater release requests were made.

2. CONSULTATION

On November 2, 2009, the licensees sent letters to the Bureau of Land Management, National Park Service, Bureau of Reclamation, Idaho Department of Water Resources, Idaho Department of Fish and Game, Idaho Department of Parks and Recreation, American Whitewater, Idaho Rivers United, and Idaho Whitewater Association to inform these entities of a consultation meeting to be held November 12, 2009 at Idaho Power's headquarters in Boise, Idaho (Appendix A). In attendance were representatives from the Idaho Department of Parks and Recreation,

Idaho Rivers United, Idaho Whitewater Association, Banks Magazine, and Idaho Power. The attendance list of that meeting is in Appendix B. Various communication recommendations were made in follow-up letters, plus a change of requirement in Article 415 (Appendix C). Following this filing, Idaho Power will also recommend to the FERC to include the month of April to the existing requirement of May and June to provide for up to 4 weekend days (included is the observed Memorial Day holiday) to make a water release request. The licensees will conduct another consultation meeting in November of 2013.

Appendix A

Notice letters to consultation entities for November consultation meeting



Mr. David Freiberg
Bureau of Land Management
Shoshone Office
400 West F Street
P.O. Box 2-B
Shoshone, ID 83352

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Freiberg:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

(Article 415) Whitewater Release Request System

Upon receiving a whitewater release request by two or more boaters by 3:00 p.m. on Friday before the weekend and after at least two boaters have checked in at the main powerhouse on the day of the whitewater release, the licensees shall not operate the main power house, located 1.6 miles downstream of Milner Dam, for up to 4 weekend days (included is the observed Memorial Day holiday) from 10:00 a.m. to 3:00 p.m. between May 1 and June 30, when inflow to the Milner Project, in excess of irrigation demands, is between 10,000 and 12,500 cfs. Powerhouse operation will resume when inflow in excess of irrigation demand is greater than 12,500 cfs and utilize for generation any flows in excess of 12,500 cfs. The licensees are required by Article 417 to provide a communication network used to predict the volume of streamflow that will be available for whitewater boating during May and June.

The licensees shall file a report with the commission by January 1 every other year beginning January 1, 2002, that lists by month for April through June 1) the total number of whitewater release requests received by the licensees, 2) the dates, times and durations of when whitewater releases were made by the licensees, 3) the amount of flow provided by licensees through the bypass reach for each day whitewater releases were made, 4) the total number of boaters using the bypass reach observed by the licensees for each day whitewater releases were made and 5) when applicable, the results of the November meeting required in ordering paragraph (B). Copies

of the report shall be sent to Idaho Department of Parks and Recreation, Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

The licensees shall consult with Idaho Department of Parks and Recreation, Idaho Department of Water Resources, Idaho Department of Fish and Game, Idaho Whitewater Association, American Whitewater, Bureau of Land Management, National Park Service, Bureau of Reclamation, Idaho Rivers United and other interested parties in 2005, and every four years thereafter, to assess whether use patterns have changed and if requirements of article 415 should be amended. The results of this meeting shall be filed with the Commission in the report required in order paragraph (B).

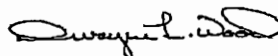
In 2006, water was available to provide whitewater releases in the Milner Bypass Reach, but no whitewater release requests were made.

In 2007 and 2008, there was insufficient water available to provide whitewater releases in the Milner Bypass Reach. No whitewater release requests were made.

In 2009, water was available to provide whitewater releases in the Milner Bypass Reach, but no whitewater release requests were made.

You or your representative is cordially invited to attend a meeting to assess these results and discuss if requirements of Article 415 should be amended. Results of this meeting shall be filed with the FERC. The meeting will be held on Thursday, November 12, 2009, at Idaho Power Company's Corporate Headquarters, Conference Rooms 5 West A&B, from 10:30 am – 11:30 am MST, 1221 W. Idaho Street, Boise, Idaho, 83702. For security reasons, you will be required to enter the front door on 13th Street. Please go to the front desk to sign in. There is visitor parking on the south side of the building. If you have any questions, please don't hesitate to call me (208-388-2901) or Fred Noland (208-388-6492).

Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Mr. Karl J. Dreher, Director
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720 - 0098

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Dreher:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

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results of the November meeting required in ordering paragraph (B). Copies of the report shall be sent to Idaho Department of Parks and Recreation, Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

The licensees shall consult with Idaho Department of Parks and Recreation, Idaho Department of Water Resources, Idaho Department of Fish and Game, Idaho Whitewater Association, American Whitewater, Bureau of Land Management, National Park Service, Bureau of Reclamation, Idaho Rivers United and other interested parties in 2005, and every four years thereafter, to assess whether use patterns have changed and if requirements of article 415 should be amended. The results of this meeting shall be filed with the Commission in the report required in order paragraph (B).

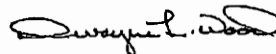
In 2006, water was available to provide whitewater releases in the Milner Bypass Reach, but no whitewater release requests were made.

In 2007 and 2008, there was insufficient water available to provide whitewater releases in the Milner Bypass Reach. No whitewater release requests were made.

In 2009, water was available to provide whitewater releases in the Milner Bypass Reach, but no whitewater release requests were made.

You or your representative is cordially invited to attend a meeting to assess these results and discuss if requirements of Article 415 should be amended. Results of this meeting shall be filed with the FERC. The meeting will be held on Thursday, November 12, 2009, at Idaho Power Company's Corporate Headquarters, Conference Rooms 5 West A&B, from 10:30 am – 11:30 am MST, 1221 W. Idaho Street, Boise, Idaho, 83702. For security reasons, you will be required to enter the front door on 13th Street. Please go to the front desk to sign in. There is visitor parking on the south side of the building. If you have any questions, please don't hesitate to call me (208-388-2901) or Fred Noland (208-388-6492).

Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Mr. Tom Dyer, State Director
Bureau of Land Management
1387 S. Vinnell Way
Boise, ID 83709-1657

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Dyer:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

(Article 415) Whitewater Release Request System

Upon receiving a whitewater release request by two or more boaters by 3:00 p.m. on Friday before the weekend and after at least two boaters have checked in at the main powerhouse on the day of the whitewater release, the licensees shall not operate the main power house, located 1.6 miles downstream of Milner Dam, for up to 4 weekend days (included is the observed Memorial Day holiday) from 10:00 a.m. to 3:00 p.m. between May 1 and June 30, when inflow to the Milner Project, in excess of irrigation demands, is between 10,000 and 12,500 cfs. Powerhouse operation will resume when inflow in excess of irrigation demand is greater than 12,500 cfs and utilize for generation any flows in excess of 12,500 cfs. The licensees are required by Article 417 to provide a communication network used to predict the volume of streamflow that will be available for whitewater boating during May and June.

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of the report shall be sent to Idaho Department of Parks and Recreation, Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

The licensees shall consult with Idaho Department of Parks and Recreation, Idaho Department of Water Resources, Idaho Department of Fish and Game, Idaho Whitewater Association, American Whitewater, Bureau of Land Management, National Park Service, Bureau of Reclamation, Idaho Rivers United and other interested parties in 2005, and every four years thereafter, to assess whether use patterns have changed and if requirements of article 415 should be amended. The results of this meeting shall be filed with the Commission in the report required in order paragraph (B).

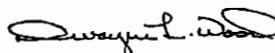
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Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Mr. J. William McDonald, Regional Director
U.S. Bureau of Reclamation
Pacific Northwest Region
1150 N. Curtis Rd., Suite 100
Boise, ID 83706-1234

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. McDonald:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

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Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

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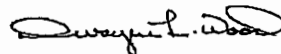
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You or your representative is cordially invited to attend a meeting to assess these results and discuss if requirements of Article 415 should be amended. Results of this meeting shall be filed with the FERC. The meeting will be held on Thursday, November 12, 2009, at Idaho Power Company's Corporate Headquarters, Conference Rooms 5 West A&B, from 10:30 am – 11:30 am MST, 1221 W. Idaho Street, Boise, Idaho, 83702. For security reasons, you will be required to enter the front door on 13th Street. Please go to the front desk to sign in. There is visitor parking on the south side of the building. If you have any questions, please don't hesitate to call me (208-388-2901) or Fred Noland (208-388-6492).

Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Ms. Nancy Merrill, Director
Idaho Department of Parks and Recreation
P.O. Box 83720
Boise, ID 83720-0065

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 -- Article 415 -- Whitewater Release Request System

Dear Ms. Merrill:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

(Article 415) Whitewater Release Request System

Upon receiving a whitewater release request by two or more boaters by 3:00 p.m. on Friday before the weekend and after at least two boaters have checked in at the main powerhouse on the day of the whitewater release, the licensees shall not operate the main power house, located 1.6 miles downstream of Milner Dam, for up to 4 weekend days (included is the observed Memorial Day holiday) from 10:00 a.m. to 3:00 p.m. between May 1 and June 30, when inflow to the Milner Project, in excess of irrigation demands, is between 10,000 and 12,500 cfs. Powerhouse operation will resume when inflow in excess of irrigation demand is greater than 12,500 cfs and utilize for generation any flows in excess of 12,500 cfs. The licensees are required by Article 417 to provide a communication network used to predict the volume of streamflow that will be available for whitewater boating during May and June.

The licensees shall file a report with the commission by January 1 every other year beginning January 1, 2002, that lists by month for April through June 1) the total number of whitewater release requests received by the licensees, 2) the dates, times and durations of when whitewater releases were made by the licensees, 3) the amount of flow provided by licensees through the bypass reach for each day whitewater releases were made, 4) the total number of boaters using the bypass reach observed by the licensees for each day whitewater releases were made and 5) when applicable, the results of the November meeting required in ordering paragraph (B). Copies

of the report shall be sent to Idaho Department of Parks and Recreation, Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

The licensees shall consult with Idaho Department of Parks and Recreation, Idaho Department of Water Resources, Idaho Department of Fish and Game, Idaho Whitewater Association, American Whitewater, Bureau of Land Management, National Park Service, Bureau of Reclamation, Idaho Rivers United and other interested parties in 2005, and every four years thereafter, to assess whether use patterns have changed and if requirements of article 415 should be amended. The results of this meeting shall be filed with the Commission in the report required in order paragraph (B).

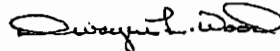
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Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

c: Mary Jean Lucachick –IDPR (Boise)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Mr. Jonathan Jarvis, Regional Director
National Park Service
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Jarvis:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

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of the report shall be sent to Idaho Department of Parks and Recreation, Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

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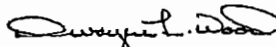
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Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Mr. Dean Schlomer, President
Idaho Whitewater Association
P.O. Box 6135
Boise, ID 83707

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Schlomer:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

(Article 415) Whitewater Release Request System

Upon receiving a whitewater release request by two or more boaters by 3:00 p.m. on Friday before the weekend and after at least two boaters have checked in at the main powerhouse on the day of the whitewater release, the licensees shall not operate the main power house, located 1.6 miles downstream of Milner Dam, for up to 4 weekend days (included is the observed Memorial Day holiday) from 10:00 a.m. to 3:00 p.m. between May 1 and June 30, when inflow to the Milner Project, in excess of irrigation demands, is between 10,000 and 12,500 cfs. Powerhouse operation will resume when inflow in excess of irrigation demand is greater than 12,500 cfs and utilize for generation any flows in excess of 12,500 cfs. The licensees are required by Article 417 to provide a communication network used to predict the volume of streamflow that will be available for whitewater boating during May and June.

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of the report shall be sent to Idaho Department of Parks and Recreation, Idaho Whitewater Association, Bureau of Land Management, Idaho Rivers United, American Whitewater and the Bureau of Reclamation and other interested entities. The Commission reserves the right to modify requirements of this article.

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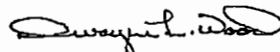
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Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Mr. Bill Sedivy
Executive Director
Idaho Rivers United
P.O. Box 633
Boise, ID 83701

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Sedivy:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

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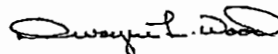
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Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702



Mr. Kevin Colburn
National Stewardship Director
American Whitewater
1035 Van Buren St.
Missoula, MT 59802

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Colburn:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415: .

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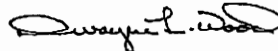
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Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (63707)
1221 W. Idaho St.
Boise, ID 83702



Mr. Jerome Hansen
Idaho Department of Fish and Game
Magic Valley Region
324 South 417 East- Ste 1
Jerome, ID 83338

November 2, 2009

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Hansen:

In accordance with requirements of the Milner license Article 415, the licensees are to consult with agencies and other interested parties in 2005, and every four years thereafter, to assess whether whitewater use patterns have changed and if requirements of Article 415 should be amended. Results of this consultation are to be filed with the Federal Energy Regulatory Commission (FERC). Following (in italics) are requirements found in Article 415:

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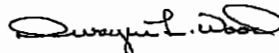
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Sincerely,



Dwayne L. Wood
Supervisor Recreation Programs

dwood@idahopower.com
(208) 388-2901
(208) 388-6902 (Fax)

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702

Appendix B

November consultation meeting attendance list

Agency Consultation Meeting:
Milner (Project No.2055) Article 415
CHQ
11/12/2009

Agency Representative Name	Organization	Phone	E-Mail Address
Fred Noland	IPC	388-6492	fnoland@idahopower.com
Kevin Lewis	IRU, IWA	343-7461	Kevin@idahonews.org
Dwayne Wood	IPC	388-3901	dwood@idahopower.com
Mike L. L.	IPC	571-2452	MLL@idahopower.com
Brian Wood	Banks, May	870-345 6682	Wdr 37108@hotmail.com
Rob Lesser	WA	343-2167	voblesser.id@gmail.com
Cindy Sorensen	IPC	388-2231	csorensen@idahopower.com

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Appendix C

Agency letters and Idaho Power response letters



C. L. "Butch" Otter
governor

Nancy C. Merrill
director

David M. Ricks
deputy director

.....
**IDAHO PARK AND
RECREATION BOARD**

.....
Steve Klatt
region one

Randal F. Rice
region two

Ernest J. Lombard
region three

Latham Williams
region four

Jean S. McDevitt
region five

Douglas A. Hancey
region six

.....
**IDAHO DEPARTMENT OF
PARKS AND RECREATION**

.....
p.o. box 83720
boise, idaho 83720-0065

(208) 334-4199

fax (208) 334-3741

tdd 1-800-377-3529

street address
5657 warm springs avenue
boise, idaho 83716

www.parksand recreation.idaho.gov

November 13, 2009

Dwayne Wood
Idaho Power Company
P.O. Box 70
Boise, ID 83707

Re: November 12, 2009, Agency Consultation meeting on Article 415,
Milner, FERC No. 2899

Dear Dwayne:

Thank you for the opportunity to meet and brainstorm on ways to improve communication between the company and the users of the Milner Mile, as it's called by the users.

The way we implemented the communication portion of Article 415 in the early 1990's was as good as we could do for the time. Bringing Kevin Lewis, Idaho Rivers United (IRU), and Rob Lesser and Brian Ward, both exceptional kayakers who have personal experience kayaking the Milner Mile, together to discuss their needs for better distribution and sharing of information on the availability of boating flows was very helpful. The photo CD and DVDs that Rob projected and Brian gave you showing kayakers using opportunistic flows in April 2009 on the Milner, I felt, were particularly beneficial. It showed me that boaters are eager for the opportunity to test their skills on the Milner Mile, and that many of them are taking advantage of opportunistic releases, not realizing they could request flows through Article 415. Brian stated that he took advantage of the opportunistic flows when he paddled it four times in one day in April.

From the time the whitewater flow releases were implemented at Milner, communicating the release schedule to the whitewater boating public, I feel, has been the biggest challenge. Modifications to Article 415 over the years have cut the number of release days from 12 to 8 then to the current schedule of four days, due to the lack of use the resource/opportunity received. Other modifications have moved the two-month release schedule off of April and on to June.

The current schedule allows for providing recreational flows annually for four weekend days, including the Memorial Day holiday, by reservation only. The flows, when reserved correctly, can occur from 10 a.m. to 3 p.m. between May 1 and June 30, when inflow to the project, in excess of irrigation

Idaho Power Company
November 13, 2009
Page 2

demand, is between 10,000 and 12,500 cfs. Unfortunately, the reservation system hasn't been used either because there was insufficient water available for releases for several years, or because the users haven't known how to use the system.

We need to fix the problem which in my opinion is the distribution of information to the users on probable opportunities for whitewater releases.

These days, kayakers have immediate access to electronic data on flows and releases. IPC has flow data for the Milner available via an 800 number. Things I'm painfully unfamiliar with, such as facebook and twitter, are ways people exchange information. An opportunity exists to distribute information almost instantaneously. We need to figure out which avenue is best and use it, and adjust the method when it needs to be adjusted.

The following are some ideas for improving communication:

- Kevin Lewis said that he would check with American Whitewater (AW) and see if they would put a link to the Milner releases on their web page.
- Cindy Sorenson said that she was willing to send out an email to a distribution list on Wednesday afternoon to alert them to the potential for available whitewater on the weekends in the May 1 to June 30 timeframe. Posting updates on the IPC website that are linked to AW or IRU may be as effective.
- Explore using twitter or facebook to put out release updates.

Other modifications that may need exploring:

- Both Brian and Rob suggested that releases in April may be more beneficial than releases in June. This may warrant additional research.
- Prior to running the Milner Mile, the boaters need to scout it. Brian indicated that they had some trepidation about where they were allowed to be for the purpose of both scouting and assisting a boater in need of rescue. Maybe some information on that topic could be posted on the IPC Milner site.

Again, thank you for being so open and cooperative about addressing improvements and changes to Article 415.

The next time we have water in the spring, let's meet the fall afterwards to discuss our successes, and see if there are any modifications we can put in place so that more folks get the opportunity to use this exceptional resource.

Idaho Power Company
November 13, 2009
Page 3

As always, call if you have any questions. I can be reached at mary.lucachick@idpr.idaho.gov or at 208-514-2482.

Sincerely,



Mary Lucachick
Water Recreation Analyst

CC: Kevin Lewis via email
Brian Ward via email
Rob Lesser via email

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December 23, 2009

Ms. Mary Lucachick
Water Recreation Analyst
Idaho Department of Parks and Recreation
5657 Warm Springs Avenue
Boise, ID 83716-8712

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Ms. Lucachick:

Thank you for attending the meeting held November 12, 2009, to discuss and review requirements of Milner Article 415. I appreciate your letter of November 13, 2009, in which you mention various possibilities to improve our communication of information to the whitewater community for the opportunities available on the Milner Mile (Upper Bypass Reach).

I believe that making some minor improvements to our website is the best way of providing information to the whitewater community. Nearly everyone has immediate access to the internet via cell phone or computer. I have been working with staff (Cindy Sorensen) to make these improvements which include making it easier to locate information.

Our website has also been enhanced to include a link to a printable aerial photograph that depicts the recommended scouting route to take prior to running the reach. This route is based upon past users' preferences to scout the entire reach. As we all know, the best and probably only rescue point is the take-out below the power plant, which is accessible by vehicle. After discussion regarding unlocking the gate near the South Side Canal upon request, it was determined that it is necessary to keep the gate locked for public safety reasons to ensure protection of the forebay and power plant intake structures for homeland security reasons.

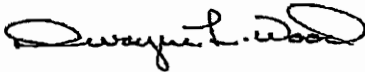
Also, we will be placing a directional sign at the beginning of the trail used to scout the Milner Mile.

Idaho Power will recommend to the FERC to include the month of April to the existing requirement of May and June to provide for up to 4 weekend days (included is the observed Memorial Day holiday) to make a water release request.

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702

Thank you for your continued interest and involvement regarding Milner Article 415.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Wayne L. Wood". The signature is fluid and cursive, with the first name "L. Wayne" and last name "L. Wood" clearly distinguishable.

L. Wayne L. Wood
Supervisor Recreation Programs

From: B W [war37108@hotmail.com]
Sent: Monday, November 30, 2009 9:32 AM
To: Wood,Dwayne
Subject: IDRP comments on Article 415 of Milner License, FERC No. 2899

Dwayne Wood

Idaho Power Company

P.O. Box 70

Boise, ID 83707

Re: November 12, 2009 Agency Consultation meeting on Article 415, Milner, FERC No. 2899

Article 415 requests that boaters must make their request by Friday before 3pm, call to confirm request on Saturday morning, then two or more boaters must check in with the Idaho Power Dam keeper the morning of the request.

In the November 12, 2009 meeting with Idaho Power, I learned that the requester has to be in attendance the whole time of the release, request the amount of times boaters want to paddle the river, and stay in communication with the dam keeper, this is not clearly stated anywhere in Article 415 or on Idaho Power's website.

When researching the Milner Mile on Idaho Power's website, under the headlines "Important Information About Whitewater Release" and "Whitewater Release", it is not clearly stated that you have to make two calls, only the one. The one call mentioned is Friday, but no mention of the Saturday mornings call.

What does being in attendance involve, does the requester have to be on the river with each crew floating down the river or can they stand on the banks and set safety? There is no clear statement that the requesters as to be in attendance or how this operates if they are.

The problem with requesting the amount of times boaters want to paddle the river is predicting on how many runs, boaters have many factors to consider. The amount of boaters, sometimes new crews of boaters show up adding numbers, most people need at least an hour to scout the section of river, and the amount of times an individual will paddle this section can alter with each run down the river.

Flows can only be requested during the months of May and June from 10am-3pm. I propose the request form flows change to during the months of April-June. In April 2009, 30 plus individuals from all over the west (Colorado, Idaho, Oregon, Wyoming) arrived at the Milner Mile to kayak, shoot video and photography, and to simply witness the power of the river. The flows were around 17,000cfs at the Milner Dam the first day and 15,000 the next. These flows are sufficient enough to run without a request and there were more days within the month of April 2009 that do not need request days.

During the month of April when there are not many rivers to boat, the Snake provides a great chance for early season boaters, but most boaters once a river section or system is completed they carry on to another river section or system. During the months of May and June, most local runs for boaters are starting to run at optimum flows, so from them to travel back to the Snake River system is unlikely.

Boaters would also like to see that upon request that the gate located on the south side of the Snake River near the Milner Mile be opened for easier access for scouting, setting safety, and quicker access in the case on an emergency.

Thank you for all your time and I look forward to working with Idaho Power to make this easier on Idaho Power and boaters.

Sincerely,

Brian Ward



December 23, 2009

Mr. Brian Ward

RE: Milner Hydroelectric Project FERC No. 2899 – Article 415 – Whitewater Release Request System

Dear Mr. Ward:

Thank you for attending the meeting held November 12, 2009, to discuss and review requirements of Milner Article 415. I appreciate your email of November 30, 2009, in which you mention various possibilities to improve our communication of information to the whitewater community for the opportunities available on the Milner Mile (Upper Bypass Reach).

I'd like to respond to and clarify a few points you brought up in your email. Because of safety reasons, we established a minimum two person check in at the power plant upon arriving to float the Milner Mile. It is not necessary for all requestors to run the Milner Mile, rather some may choose to just observe other boaters. A check out (after all runs are complete) is needed for the plant operator so they know when all users are out of the river to back off the flow of water. I certainly understand your point about not always knowing upfront the number of runs groups will be taking. I only suggest that you keep in reasonable contact with the operators so they know what's going on. Again, these contacts are also for safety reasons.

I believe that making some minor improvements to our website is the best way of providing information to the whitewater community. Nearly everyone has immediate access to the internet via cell phone or computer. I have been working with staff (Cindy Sorensen) to make these improvements which include making it easier to locate information.

Our website has also been enhanced to include a link to a printable aerial photograph that depicts the recommended scouting route to take prior to running the reach. This route is based upon past users' preferences to scout the entire reach. As we all know, the best and probably only rescue point is the take-out below the power plant, which is accessible by vehicle. After discussion regarding unlocking the gate near the South Side Canal, it was determined that it is necessary to keep the gate locked for public safety reasons to ensure protection of the forebay and power plant intake structures for homeland security reasons.

Also, we will be placing a directional sign at the beginning of the trail used to scout the Milner Mile.

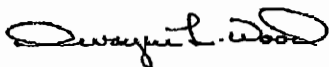
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P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702

Memorial Day holiday) to make a water release request.

Thank you for your participation and continued interest and involvement regarding Milner Article 415.

Sincerely,

A handwritten signature in black ink, appearing to read "Dwayne L. Wood". The signature is fluid and cursive, with the first name "Dwayne" being more prominent.

Dwayne L. Wood
Supervisor Recreation Programs