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May 23, 1988

Mr. Ronald A. Corso, Director
Division of Dam Safety & Inspections
Federal Energy Regulatory Commission
825 North Capitol Street, N.E.
Washington, D.C. 20426

Jay Mark Robinson, Director
Division of Project Compliance & Administration
Federal Energy Regulatory Commission
825 North Capitol Street, N.E.
Washington, D.C. 20426

Mr. Quinton A. Etkin
Federal Energy Regulatory Commission
Portland Regional Office
1120 S.W. Fifth Avenue, Suite 1340
Portland, Oregon 97204

Re: Project #4769-Idaho *002*
H. K. Hydro (Mud Creek Hydro Project)

Gentlemen:

This letter is in response to Mr. Corso's letter dated February 26, 1988, and Mr. Robinson's letter of April 13, 1988, concerning a determination of the exemption for the Mud Creek Hydro Project FERC #4769-Idaho. Mr. Corso originally requested a response within 30 days, in which this response was thereafter extended by Mr. Robinson until May 25, 1988.

In response to your concerns regarding the project, I am enclosing current status reports on both the upper (Plant #1) and lower (Plant #2) sites at the Mud Creek Hydro Project. As you will note, this outlines the total KW capacity as well as the hydraulic capacity. Please be aware, however, that these units are not expected to run simultaneously. In addition to those generator changes, we have installed a wood frame building over the generators, have made some minor improvements to the head works of the penstock. There have not been any changes to the location of the project structures. Also, please find enclosed a letter from Mr. William D. Horton of the Idaho Fish & Game approving a design to insure minimum flows. As you will note, Mr. Horton outlines that this satisfies the department's requirement for instream flows. I am also

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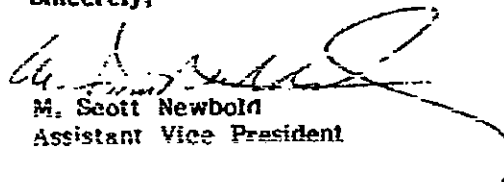
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Mr. Ronald A. Corso
May 24, 1988
Page Two

enclosing a letter from Idaho Power Company regarding the requirement of raptor proofing on the power lines. Idaho Power Company is working closely with Idaho Fish & Game as well as the U. S. Fish & Wildlife Service. Both agencies are in agreement as to this method of proceeding, and the work is under way to accomplish this concern.

It is my understanding that all of the governmental agencies are in agreement with the project in the manner in which we are proceeding. Please be aware that, according to Mr. Ansell, this procedure of raptor proofing may take several months. I have spoken with Mr. Ansell, and he assures me that this project will be given high priority with Idaho Power, but there are several factors that are not within their control. I will be more than happy to forward to you any additional information I receive in this regard. This letter of response should comply with the requirements of your February 26, 1988, letter. If for any reason there is additional information which you require, please contact me. Otherwise, I will assume that we are in full compliance, and the project is acceptable to you.

Sincerely,



M. Scott Newbold
Assistant Vice President

MSN:jm

April 28, 1928

CURRENT STATUS OF PLANT #1 - FERC

Project No. 4769 (Mudcreek Site)

	Type of Generator	Kw Capacity	Hydraulic Capacity
Unit #1	Induction	20	3
Unit #2	Induction	40	6
Unit #3	Induction	75	11
Unit #4	Synchronous	200	60

We have installed a wood frame building over the generators and have made improvements at the headworks of the penstock. We do not expect to run Units 1, 2, and 3 when Unit 4 is operating due to the limited amount of water available. Unit #4 is a wicket gate-type turbine and will operate over a wide range of flows. Units 1, 2, and 3 are fixed flow machines.



IDAHO FISH & GAME

600 South Walnut - Box 25
Boise, Idaho 83707

April 23, 1988

Mr. Rick Kaster
Route 3
Buhl, ID 83316

RE: Mud Creek Hydro, FERC Project No. 4769

Dear Mr. Kaster:

In request to your telephone call, I contacted Senior Conservation Officer, Bruce Palmer, about measuring the orifices on the gates for the Mud Creek project. Mr. Palmer met you on March 31, 1988, and measured each orifice.

A copy of this letter will be sent to the FERC showing that the orifice for the upper diversion is 7" x 12", and for the lower diversion it is 8 1/4" x 12". These openings, with head levels measured at 66" and 41", respectively, will provide the necessary bypass of 5 cfs.

This satisfies the Department's requirement for instream flows. Because of the design, it will not be necessary to provide records to us on daily flow levels. This system guarantees minimum flows if the stated head levels are maintained.

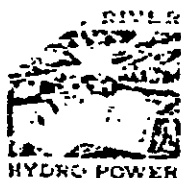
Sincerely, --

William D. Horton
Staff Biologist

cc: FERC (Portland)
USFWS (Boise)
Region 4

WDR:maw

Cecil D. Andrus - Governor
Jerry M. Conley - Director



IDAHO POWER COMPANY

BOX 70 • BOISE, IDAHO 83707

March 29, 1988

Mr. Rick Kaster
Route 3
Buhl, ID 83316

Dear Mr. Kaster:

Thank you for your inquiry concerning raptor protection on power lines associated with small hydro projects.

As I explained, Idaho Power has been in contact with both the Idaho Department of Fish and Game and the U.S. Fish and Wildlife Service concerning this topic. To date, we have come to the following agreement:

1. Idaho Power will be allowed to evaluate lines leading from several small hydro sites.
2. Based on the results of the evaluation, the Company will make recommendations to IDFG and USFWS concerning which and how lines should be modified.
3. IDFG and USFWS will review the recommendations. If the agencies concur with the recommendations, actions would be taken to implement them. If they disagree, further negotiations would be necessary.

Presently, IDFG is reviewing which small hydro projects they have recommended include raptor protection on their lines. This process will probably take some time.

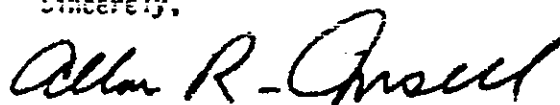
Idaho Power's engineering section is preparing a map of hydro sites which they feel may require an evaluation. I expect this information within the next few weeks.

With the concurrence of IDFG and USFWS, IPC has contacted Mr. Morlan Nelson to assist with the evaluation. As you may be aware, Mr. Nelson, in cooperation with Idaho Power, pioneered methods to minimize raptor electrocutions on small power lines. He is presently out of the country and not scheduled to return until next month.

Once the above information is compiled, a schedule for the evaluation will need to be developed. IDFG and USFWS wants to review the proposal before we proceed. I anticipate the evaluation may take several months, largely depending on Mr. Nelson's availability, my own work schedule and how many projects need to be reviewed.

I hope this letter meets your requirements. If I can be of any further assistance, please let me know.

Sincerely,



Allan R. Ansell
Environmental Studies Coordinator

ARA mb

c: IDFG - B. Horton
USFWS - W. Ray
IPC M. Menicle/J. Ferree