



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 13, 2009

US DEPT OF INTERIOR
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE ID 83706

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 65-22723

Dear Permit Holder:

The department has received your proof of beneficial use statement for Permit 65-22723. Condition No. 3 of your permit requires that you either install a measuring device that can be used to determine the instantaneous rate of flow of water through the system or provide the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation. There was no indication included with your proof of beneficial use that this condition has been met.

I understand that USBOR may have been hoping IDWR would conduct the measurement as part of its field inspection, thus sparing USBOR the cost of hiring a certified water right examiner. However, the purpose of the condition is to provide critical data to IDWR field staff members who may not be equipped to measure flows on large hydropower systems.

There may be another option for providing the critical flow measurement data to IDWR. Although USBOR engineers are not certified water right examiners, IDWR may be able to accept a flow computation or measurement report from a USBOR staff member who is a professional engineer. If a USBOR engineer were to provide IDWR a satisfactory flow measurement report or computation and a request to modify the approval condition, IDWR could probably modify the terms of the condition and accept the measurement or computation from USBOR.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. Therefore, you may wish to be in compliance before the department conducts the field examination to avoid any problems in licensing your permit.

Please contact me at 208-287-4952 if you have any questions regarding the permit conditions. If you have questions about the field examination, please contact the Western Regional Office of the department at (208) 334-2190.

Sincerely,

Emalee Rushing
Office Services Supervisor

Enclosure