



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

900 North Skyline Drive, Suite B • Idaho Falls, Idaho 83402 • (208) 528-2650

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

February 4, 2009

Mr. William Omler
PO Box 40
Tendoy, Idaho 8346

RE: DEQ comments on Water Rights Application 74-15895

Dear Mr. Omler:

The Idaho Department of Environmental Quality (Department) reviewed your water rights application, as well as the associated existing water quality information near your proposed project site identified in Application 74-15895.

The Department has no opposition to the granting of this right if it is developed according to the information you provided. However, we would like to provide the following comments concerning your project application:

The 200 gallons per minute flow rate required for your power production only equates to 0.4456 cubic feet per second (cfs), while your permit application requests 2.19 cfs. The need for the remaining 1.7444 cfs is unclear;

The Department does encourage you to screen the diversion in the Salmon River according to local fish and game specifications; and

If the project proceeds, you will need to receive an Idaho Stream Channel alteration permit as well as Wetland Dredge and Fill permit from the US Army Corps of Engineers. Information concerning this process may be found at:
http://www.idwr.idaho.gov/water/stream_dam/sca/scamain.htm.

We have no other comments at this time. Additionally, the Department believes this letter is sufficient to allow the Department of Water Resources to complete their review of your water rights application. Thank you for providing the opportunity to review your application.

RECEIVED

FEB 06 2009

Department of Water Resources
Eastern Region

SCANNED

FEB 06 2009

Please do not hesitate to contact me at 208.528.2650 for any additional information we may be able to provide.

Sincerely,

Troy Saffle
Regional Water Quality Manager
Idaho Falls Regional Office

c: Sharla Cox, IDWR
Doug Conde, DAG
Tom Bassista, IDWR
Rob Brochu, ACOE