



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 30, 2008

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BARRY ROSENBERG, EXEC DIRECTOR
KOOTENAI ENVIRONMENTAL ALLIANCE
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RE: Proposed Conditions for Black Rock Utilities Amendment of 95-9045

Gentlemen:

I have reviewed the conditions of approval that are contained in "Black Rock's Submission of Proposed Conditions". I believe that the proposed conditions are acceptable to the Department of Water Resources, and we can consider the matter of the Kootenai Environmental Alliance's protest resolved.

Although I am sure that all of the parties are aware of this, it is worth noting that, should the amendment subsequently be approved, the hearing officer may impose conditions which are more stringent or rigorous than those contained in this submission.

I would also note that acceptance of the form of these conditions should in no way be construed as a position on the part of the Department as to whether this application for amendment should be approved.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Robert G. Haynes, P.E.
Regional Manager

Cc: JAI NELSON
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