

JAN 11 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GovernorKARL J. DREHER
Director

January 10, 2006

SCOTT COOK PLANNER II
ADA COUNTY DEVELOPMENT SERVICES
200 W FRONT ST
BOISE ID 83702-7300

Re: 05-41-CU/05-36-MSP Boise Project Board of Control ("Board")

Dear Mr. Cook:

The Idaho Department of Water Resources (IDWR) offers the following comments in the above referenced matter. The Board holds Water Permit No. 63-9206 for the use of Boise River water to produce power at the proposed site.

A printout of the permit is attached for your convenience. Please note the permit authorizes the use of 900 cubic feet per second during the irrigation season. This represents an additional use of water already diverted for irrigation purposes. Water can be used within the limits of the permit while the permit remains in good standing. The permit will ultimately ripen into a water license upon proof of beneficial use ("prove up") and verification by IDWR of the development achieved under the permit. Alternately, the permit can be relinquished, lapsed, cancelled or voided if the project is not timely developed and verified by IDWR through the licensing process. The time to "prove up" on the permit has been extended until March 1, 2010.

Please contact me at 334-2190 if you need additional information in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure