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WATERMASTER

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State of Idaho

Water District 1

900 N. Skyline Dr., Suite A

Idaho Falls, Idaho 83402-1718

IDWR DIRECTOR
KARL J. DREHER

June 28, 2004

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DEPARTMENT OF
WATER RESOURCES

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Kay Walker
Water Right Licensing
IDWR
1301 North Orchard Street
Statehouse Mail,
Boise, ID 83720-9000

RE: Measuring device requirement 23-07068

Dear Kay:

I have had the opportunity to review the measuring device condition for the above referenced hydropower water right of the U.S. Forest Service. In Water District 1 we only regulate hydropower facilities that divert water from the source and do not immediately return it. Fortunately, this type of a facility is rare. Larger hydropower facilities that can impact the river flows and water deliveries to senior users require a plan of operation that assures us that the power production process is not going to cause downstream water delivery problems because of fluctuating releases through the power plant. We care less about what goes through the plant than we do about what is passing the facility. Since we do not specifically care about the water being used for power generation the operating requirements generally are beyond the scope of normal conditions of approval on the license. We cover that through the fact that they are subject to watermaster control.

In the case of 23-07068 it is unlikely that it will ever be necessary for us to regulate this or even keep diversion records. Should that become necessary the director clearly has the authority to order on a measuring device if that should ever be necessary. Even if the flow through the penstock is needed it probably will not be necessary to have a measuring device because the design capacity of the facility is known and will not vary significantly while in operation. Consequently, I would recommend that the measuring device requirement on this facility be waived.

Very truly yours,

Ronald D. Carlson
Watermaster