



State of Idaho
DEPARTMENT OF WATER RESOURCES

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May 8, 1997

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RECEIVED
MAY 12 1997
Department of Water Resources

Re: Black Canyon Dam Enlargement

Dear Ron:

This letter is a response to your letter dated March 13, 1997. I'm sorry for the slow response.

I searched the records of the Department of Water Resources (IDWR) for water rights describing Black Canyon Dam. The dam is described by water rights that authorize a flow rate for irrigation and power generation. The water rights do not describe a storage component.

Raising the elevation of the normal operating surface would increase the capacity of Black Canyon Reservoir approximately 500 acre feet. My first impression was that a water right might be required for the additional storage. Requiring a water right for the additional 500 acre feet of storage would have no foundation, however, if there is no storage water right for the existing reservoir.

My understanding is that Black Canyon Reservoir has never been operated as a storage reservoir. Mark Limbaugh, Watermaster for Water District No. 65, characterized Black Canyon Dam as an obstruction in the Payette River that raises the water surface to the elevation of the canals diverting water from the Payette River at the dam. I understand that the water level in Black Canyon Reservoir fluctuates very little during the irrigation season.

I also understand that a portion of the holding capacity of Black Canyon Reservoir has filled with silt. The proposal to add another 500 acre feet of storage on top of the reservoir could be viewed as a recovery of original storage space lost because of the siltation.

Finally, your letter states that the increase in the Black Canyon Reservoir water surface will improve operational capability by insuring delivery of sufficient water at times when users demand more water than is being delivered from upstream storage. Short term storage in Black Canyon Reservoir will compensate for the

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water shortages until additional water is delivered from Cascade and/or Deadwood Reservoirs.

IDWR acknowledges the need for short term storage for efficient water management and does not require a storage water right for storage that can be refilled in 24 hours. A continuous flow of 252 cubic feet per second will accumulate 500 acre feet of water in 24 hours. I did not review specific storage release flows from Cascade and Deadwood Reservoirs but assume the releases exceed 252 cfs during the hot summer months.

A water right for the additional storage in Black Canyon Reservoir is not required.

Any construction below the mean high water mark should comply with state and federal stream channel alternation laws, rules, and regulations.

IDWR understands that the watermaster for Water District no. 65, Payette River, will continue to regulate water diverted at Black Canyon Dam and from the Payette River below Black Canyon Dam according to the water rights of the various users.

Thank you for the chance to comment. I look forward to working with you in the future.

Sincerely,



Gary Spackman

c. Mark Limbaugh
Norm Young