

to site at River Plant

TO: RON CARLSON
FROM: NORM *NCG*
RE: WATER DISTRICT 29 DELIVERY QUESTION
DATE: MARCH 25, 1994

RECEIVED
MARCH 26 1994
Department of Water Resources
Eastern District Office

At the March 15 public meeting on conjunctive management rules in Soda Springs, Raoul Wistisen asked about our policy concerning delivery of Portneuf Reservoir water used only for power generation in the Portneuf-Marsh Valley hydropower project. Apparently, Wistisen has discussed this matter with someone at your office and was given an answer he wanted rethought. His question is as follows:

The court decree on the Portneuf River provides for delivery of reservoir storage without loss to the PMV heading. This is an irritation to the holders of older natural flow rights who feel that conditions have changed causing them to have to cover extensive delivery losses. Now, he contends, stored water is being delivered for the sole purpose of generating power under a permit issued long after the decree was issued. Shouldn't the stored water be shrunk when not delivered for the decreed purpose? He further questions the authority to deliver stored water for a purpose not authorized by the storage right.

I assured him that I would check into the matter and get back to him. Please review this matter with your appropriate staff to determine what research or other review has been done and whether the watermaster has been given specific instructions.

c. Tim Luke