



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

444 Hospital Way #300, Pocatello ID 83201 • (208) 236-6160  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

C. L. "Butch" Otter, Governor  
John H. Tippetts, Director

October 20, 2016

Nicholas E. Josten, Twin Lakes Canal Company Agent  
GeoSense  
2742 Saint Charles Avenue  
Idaho Falls, ID 83404

Re: Bear River Narrows Hydroelectric Project (FERC No. 12486) request to IDEQ for CWA section 401 water quality certification.

Dear Mr. Josten:

The Idaho Department of Environmental Quality (DEQ) received the Twin Lakes Canal Company request for 401 certification of the proposed Bear River Narrows Hydroelectric Project (FERC No. 12486) on November 4, 2015. IDEQ has one year from the date it receives a written request for water quality certification to make a certification decision with respect to a FERC license.

Subsequent to Twin Lake's request for 401 certification, the Federal Energy Regulatory Commission, on June 16, 2016, denied Twin Lake's application for license for the Bear River Narrows Hydropower Project No. 12486.

Since Twin Lakes Canal Company's application for a federal permit has been denied, DEQ is no longer considering the request for certification. Should a new or modified license application be submitted to FERC, DEQ would require a new request for a section 401 water quality certification.

Please contact me at (208) 236-6160 if you have questions or wish to discuss this matter.

Sincerely,

/Lynn R. Van Every/

Lynn R. Van Every  
Regional Water Quality Manager

Cc: Bruce Olenick, Regional Administrator, DEQ Pocatello  
Doug Conde, DEQ Attorney General  
Shana Murray, FERC Project Manager