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DEPARTMENT OF
WATER RESOURCES

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BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

)	
)	
IN THE MATTER OF APPLICATION)	ONEIDA NARROWS ORGANIZATION'S
FOR PERMIT NO. 13-7697 IN THE)	RESPONSE TO TWIN LAKES CANAL CO'S
NAME OF TWIN LAKES CANAL CO.)	EXCEPTIONS TO PRELIMINARY ORDER
)	DENYING APPLICATION FOR PERMIT
_____)	

ONEIDA NARROWS ORGANIZATION, (hereinafter "ONO") hereby submits *Oneida Narrows Organizations' Response to Twin Lakes Canal Company's Exceptions to Preliminary Order Denying Application for Permit*. ONO's response is offered in opposition to exceptions filed by the Twin Lakes Canal Company (hereinafter "TLCC").

I. GENERAL COMMENTS

ONO supports the *Preliminary Order* denying the Application for Permit filed by the TLCC. ONO believes the Hearing Officer's Preliminary Order denying the application for permit was a well-researched, well-reasoned document that thoroughly explained his decision according to the massive evidence and testimony presented by all the parties who participated in the March 2012 hearing. ONO respectfully submits the following responses to Exceptions filed by the TLCC.

In the TLCC document of Exceptions to the Preliminary Order, at the top full paragraph of page 5, it is stated that the dam project is intended to "keep farming alive and well in Franklin

County, and support the businesses and services of non-Twin Lakes shareholders in Franklin County. This will preserve the social fabric of Franklin County.”

ONO denies that this is or would be the case. It was illustrated in the course of the hearing that farming is not the only source of income and social wellbeing of the county. Many other categories directly relating to water, especially Bear River water, are of great concern to the local public interest, including “fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, transportation, navigation, water quality, and alternative future uses of water (Preliminary Order Denying Application, page 26, number 34).

Local farming families can only spend so much money on local goods; they do not make up the bulk of all business conducted in Franklin County. And TLCC’s claim that damming the river will “preserve the social fabric” of the county is just plain wrong. ONO’s experience in the course of the this hearing and the FERC process since ONO filed as a protestant in March 2007 has been that this is the most contentious and destructive of all the dam proposals so far. The Oneida Narrows canyon and the entirely accessible Bear River that flows through it are the main source of enjoyment in the area for hundreds of local residents, not to mention the thousands who were once local and have returned to the Oneida Narrows over the years and decades. This exponential growth of appreciation for the free-flowing river was well-documented in the hearing. The social fabric of the area has been shredded by the TLCC dam proposal.

Another dam and partially-accessible lake in an already dam-abundant area is not what the “thousands of tubers, rafters, kayakers, canoeists, anglers, hunters, photographers, hikers and campers” (IRU Exceptions, page 2) come to the Oneida Narrows to enjoy. People who live in the area do not want to give up this free and always-available resource. This was addressed by many of the protestants at the hearing, especially by the presentation of over 1700 signatures that were collected on petitions which were circulated by ONO representatives in the space of only a month and a half. We disagree with TLCC’s premise that the local public interest would be served by damming the Narrows.

II. CONCLUSION

ONO respectfully asks Director Spackman to carefully consider the huge amount of evidence and testimony that affirm Hearing Officer Cefalo's decision to deny the application for Permit No. 13-7697. His decision should be upheld.

Dated this 21st day of August, 2012

Star Coulbrooke

Star Coulbrooke

Oneida Narrows Organization

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the preceding document on the parties listed below by mail or email on this 21st day of August, 2012.

DOCUMENT SERVED: ONEIDA NARROWS ORG'S RESPONSE TO TWIN LAKES CANAL COMPANY'S EXCEPTIONS TO PRELIMINARY ORDER DENYING APPLICATION FOR PERMIT

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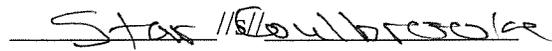
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DATED this 21st day of August, 2012.



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