

DEPARTMENT OF HEALTH AND ENVIRONMENT

June 17, 2004

Ms. Sarah Hill-Nelson
Bowersock Mills and Power Company
P.O. Box 66
Lawrence, Kansas 66044

Re: Low Impact Hydropower Institute Question

Dear Ms. Hill-Nelson:

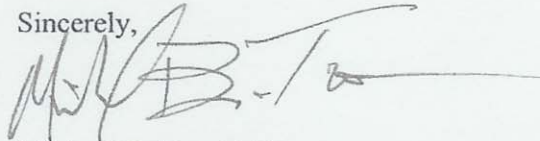
The Kansas Department of Health and Environment (KDHE) is in receipt of Bowersock Mills and Power Company (BMPC) email dated June 14, 2004. The email asked for confirmation from KDHE that the following statement by Matt Scherer with the Kansas Department of Agriculture is accurate:

"The State of Kansas through agreements among the Kansas Water Office, the U.S. Army Corps of Engineers, and the Kansas River Assurance District, operates state-owned storage in three of the four federal reservoirs in the Kansas River basin to achieve certain target flows. These flows in part are meant to protect fish, wildlife, and water quality."

We are in agreement with Mr. Scherer's statement. The Assurance District flows for the Kansas River, developed by the Kansas Water Office, were designed to be protective of water quality, fish and wildlife, and consumptive use. Based on empirical evidence from the recent drought conditions experienced in Kansas, implementation of the Assurance District flow has proven successful.

If you have additional questions, please call me at 785.296.5504.

Sincerely,



Michael B. Tate, P.E.

C - Karl Mueldener
Tom Stiles

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DIVISION OF ENVIRONMENT
Bureau of Water
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