

April 3, 2015

Attn: Mr. Owen David
401 Certification Program
NHDES Watershed Management Bureau
P.O. Box 95
Concord, NH 03301-0095

**Re: Dixville Capital, LLC's Application for a 401 Water Quality Certification for the Balsams
Snowmaking Water Withdrawal Project (Certification No. WQC 2014-404P-001)**

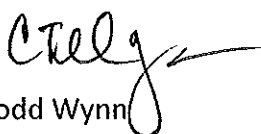
Dear Mr. David:

I am writing to alert you that approval of the above-referenced application for a 401 Water Quality Certification for the Balsams Snowmaking Water Withdrawal project would adversely affect 15 federally-licensed hydroelectric facilities that Great Lakes Hydro America, LLC and its affiliates (collectively, "GLHA") own and/or manage on the Androscoggin River downstream of the proposed project.

Withdrawing water from the river as requested is projected to potentially displace as much as 3,000 MWh per year of clean renewable energy generation. In addition, the requested withdrawal could cause flows to drop below the GLHA facilities' minimum flow levels required by their respective Federal Energy Regulatory Commission licenses, particularly in dry years, unless the proposed project is required to coordinate its water withdrawal with GLHA's facilities on an ongoing basis and to install and monitor gages downstream of the withdrawal location. DES should account for such displacement and flow concerns in its review of environmental effects of the proposed project.

DES should also take into account the riparian rights Doctrine of Reasonable Use and the longstanding case law applying it, under which landowners cannot use water adjoining their property without due consideration of the usage rights of downstream landowners with rights to that water as it flows to their property. Approving Dixville Capital's application without conditioning such approval on entry by Dixville Capital and GLHA into an agreement by which Dixville Capital will compensate GLHA for lost revenues (with security to satisfy such payment by a credit-worthy entity) would negatively affect these downstream hydroelectric facilities. With such a condition, however, GLHA is willing to consent to the requested water withdrawal level of up to 2.94 million cubic feet of water per day intermittently for six months annually.

Very truly yours,


Todd Wynn