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WATER RESOURCES  
WESTERN REGION

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SCOTT L. CAMPBELL

December 1, 1994

Mr. John W. Keys, III  
Regional Director  
Pacific Northwest Region  
U.S. Bureau of Reclamation  
1150 North Curtis Road  
Boise, Idaho 83706-1234

Re: Review of Flood Control Rule Curves for Cascade and Deadwood Reservoirs

Dear John:

I am writing on behalf of my client, the Payette River Water Users Association, Inc. I am writing to obtain further clarification and written assurances regarding the flood control rule curves for Cascade and Deadwood Reservoirs. In this regard, I have enclosed a copy of correspondence dated August 1, 1994, from Jerrold D. Gregg to David R. Tuthill, Jr.

As you may be aware, the Payette River Water Users Association, Inc. has conducted several meetings with Mr. Gregg and Mr. Tuthill to discuss and clarify the operation of Cascade and Deadwood Reservoirs. One of the major issues for consideration in prior discussions was the legal basis for the flood control rule curves for Cascade and Deadwood Reservoirs. Moreover, perhaps more important than the legal basis for the rules is the perceived need to review and modify current flood control rule curves for operation of the reservoirs to avoid a recurrence of the discharge of unnecessary water from the reservoir system to provide flood control space as occurred in September, 1993.

As a consequence of discussions conducted at the Idaho Department of Water Resources Central Office on July 29, 1994, Mr. Gregg corresponded with David Tuthill, Jr. on this topic. While Mr. Gregg's correspondence is a step in the right direction, it does not provide any commitment for resolution of this important issue. Moreover, it does not even begin to set forth a time frame for commencement or ultimate resolution of the review process which is outlined in the letter.

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Since this issue is of major importance to the water users who belong to the Payette River Water Users Association, Inc., I request that the Bureau of Reclamation provide a formal response to the following questions:

1. What is the legal basis for operation of Cascade and Deadwood Reservoirs for flood control purposes?
2. What is the current justification for the flood control rule curves for Cascade and Deadwood Reservoirs set forth in the standard operating procedures manual of the Bureau of Reclamation?
3. When was the last time the flood control rule curves were reviewed and revised?
4. When will the review process described in Mr. Gregg's correspondence of August 1, 1994 commence?
5. When will the review process described in Mr. Gregg's correspondence of August 1, 1994 be completed?
6. What are the specific notification and public participation procedures which will be available to my client, the Association, as well as other interested parties?

Clarification of these points is critical to maintenance of the Bureau of Reclamation's credibility with respect to operation of Cascade and Deadwood Reservoirs. I am confident that your agency will provide straight-forward responses to these questions in a timely fashion.

I will be happy to discuss these matters with you or one of your designated assistants if you desire. Please do not hesitate to contact me.

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Very truly yours,

ELAM & BURKE  
*A Professional Association*

  
Scott L. Campbell

SLC:ma

cc: Mr. David R. Tuthill, Jr.  
State of Idaho Department of Water Resources

Ms. Helen Bivens  
Secretary - Treasurer, Payette Water Users Association, Inc.

Mr. Jerrold Gregg  
U.S. Bureau of Reclamation

Mr. Terry Scanlan  
Mr. Keith Anderson