

Keith RKA 212
LOWER PAYETTE DITCH CO. RECEIVED

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Phone (208) 642-3866

JUL 22 1994

July 18, 1994

MR BOB SUTTER

DEAR BOB,

*A meeting has been set by Tuthill
for Monday 11:00am for discussion of this
issue.*

AT OUR ADVISORY BOARD MEETING HELD JULY 14 DAVE TUTHILL EXPLAINED WHY LOWER PAYETTE DITCH COMPANY'S CARRYOVER WATER IN CASCADE RESERVOIR HAD SUDDENLY DISAPPEARED. I WAS APPALLED THAT YOU FELT YOU HAD THE POWER TO SIMPLY CANCEL OUT 5,208 AF OF THE DITCH COMPANY'S WATER. THIS ACTION CUTS TO THE CORE OF THE SUCCESSFUL OPERATION OF THE LAKES AT McCALL AND CAN NOT BE ALLOWED TO STAND.

THROUGH THE YEARS WE HAVE DEVELOPED A PROGRAM THAT PROVIDES A GOOD LEVEL OF WATER IN PAYETTE LAKE SO THAT BOATING AND OTHER FORMS OF RECREATION ARE NOT ADVERSLY AFFECTED. WE HAVE BEEN ABLE TO MAINTAIN THE WATER LEVEL EVEN DURING THE DROUGHT YEARS. THE OPTION OF BEING ABLE TO DRAW FROM OUR STORAGE SPACE IN CASCADE RESERVOIR AND THEN PARTIALLY REPLACE IT LATER IN THE SEASON WITH WATER FROM McCALL IS AN EXTREMELY IMPORTANT PART OF THE OPERATION. IF IT WERE NOT FOR THE RECREATION THAT IS DEPENDANT ON PAYETTE LAKE IT WOULD BE TO OUR ADVANTAGE TO TAKE ALL OF THE "FISH FLUSH" WATER FROM McCALL SINCE THOSE RESERVOIRS NEVER FAIL TO FILL. THIS WATER HAD TO BE RELEASED AT A TIME THAT WOULD HAVE MADE THE LAKE UNUSABLE FOR MUCH OF THE SUMMER. WE CHOSE TO RELEASE WATER FROM CASCADE AND THEN BRING WATER DOWN FROM McCALL LATER IN THE SEASON TO PARTIALLY REFILL THE STORAGE SPACE. THIS SEEMED TO BE A COMMON SENSE WAY OF PROVIDING SOME WATER FOR THE SALMON RECOVERY EFFORT THAT WOULD STILL LEAVE US WITH A LITTLE RESERVE OF STORAGE WATER IN CASCADE. BEFORE WE DID THIS I MADE A POINT OF MEETING WITH DAVE TUTHILL AND EXPLAINED TO HIM WHAT OUR PLANS WERE SO THAT THERE WOULD NOT BE ANY MISUNDERSTANDING. THE RECORDS SHOW THAT THE WATER WAS RELEASED TO CASCADE, IT WAS TREATED AS CASCADE WATER WHEN THE DEDUCTIONS WERE MADE FOR THE WINTER FLOOD CONTROL RELEASE BY THE BOR, AND THE RECORDS SHOW A CARRYOVER OF 5,208 AF AT THE BEGINNING OF THE 1994 STORAGE SEASON. YOUR ATTEMPT AT MAKING A PAPER TRANSFER THAT PLACES THE WATER BACK IN PAYETTE LAKE DOES NOT ALTER THE FACT THAT THE WATER IS IN CASCADE RESERVOIR. I AM SUPPOSING THAT SINCE YOU ARE ATTEMPTING TO CANCEL OUT LOWER PAYETTE DITCH COMPANY'S RIGHT TO THE WATER YOU ALSO INTEND TO ALLOW THE ACTUAL WATER TO ACCRUE TO THE BOR STORAGE WATER.

WE CAN NOT ALLOW OUR OPERATING PROGRAM AT THE PAYETTE LAKE TO BE GUTTED BY SUCH ARBITRARY ACTION AND INTEND TO DO WHATEVER IS REQUIRED TO SEE THAT THIS IS REVERSED. IF NECESSARY WE WILL TAKE IT TO THE PEOPLE AT McCALL AND ASK FOR THEIR SUPPORT.

SINCERELY,

Cecil Shurtleff

CECIL SHURTLEFF