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November 29, 2001

Ms. Alisha Sterud
United States Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way MP-400
Sacramento, California 95825

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Re: Comments on the Draft Municipal and Industrial (M&I)
Water Shortage Policy
Our Client: Bella Vista Water District

Dear Ms. Sterud:

These comments are submitted on behalf of the Bella Vista Water District (BVWD) regarding the Draft Municipal and Industrial (M&I) Water Shortage Policy for the CVP. BVWD is a CVP contractor with a combined contract for Ag and M&I supplies and has been delivering both Ag and M&I water to its customers since 1965. BVWD has demonstrated need for future M&I supplies that exceed the quantity currently under contract with Reclamation.

BVWD is primarily concerned with the Draft Policy selection of projected M&I demands as of September 30, 1994 and the schedule and data derived from that date. It appears that this date selection was arbitrary, and more troublesome, that contractors were not notified of that decision until after the fact. Contractors did not have the opportunity to review the proposed schedule for accuracy, nor offer correction or comment.

We understand that Reclamation's documents show that CVP contractors had no notice that a September 1994 cut-off date would be used to define their future use of M&I water until June, 1997. Numerous objections were raised once this disclosure was made, both in public meetings and written comments, to no avail.

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Further, BVWD is in receipt of comments from other M&I contractors and joins in those concerns including the discriminatory nature of the proposed policy, and its apparent non-compliance with applicable requirements of environmental law and regulation.

BVWD urges Reclamation to reconsider final adoption of the Policy until such time as these serious deficiencies can be addressed. A cooperative approach between M&I contractors and Reclamation should achieve a compromise on the policy without the significant likelihood that litigation would ensue if the Policy is adopted as proposed.

We trust that Reclamation will give serious consideration to the comments submitted and reconsider its proposed action.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce L. Belton", with a long horizontal flourish extending to the right.

Bruce L. Belton

blb/
cc: Bella Vista Water District