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From: Ralph Sletager
Sent: Tuesday, February 25, 2014 1:38 PM
To: Munro,Christy (BPA) - D-1
Subject: FW: [EXTERNAL] FW: Lake Pend Oreille/1401 (UNCLASSIFIED)

RECEIVED BY BPA FOIA OFFICE THIS DATE: 2-25-14
DUE DATE: 3-25-14
LOG # BPA-2014-00662-F

Hi Christy,

Pursuant to the FOIA, please send me the information requested in items 1-4 below. I have left some of the background in to offer context to the request. Their answer to number 3 only dealt with the statutes. My request was for process protocol or the statute.

Thanks rs

On May26, 2010 I sent to you my timely detailed comments regarding the COE's planned draw downs as being out of compliance with Congressional approval and funding legislation. My comments among other supporting documents, included the congressional record of Dr. Raver of the BPA testifying at an August 28 1943 US Congressional hearing. Also testifying were Mr Debler of the Bureau of Reclamation and Colonel Parks of the COE.

Mr Raver represents that the development of Albeni Falls is guided by 5 basic principles.

Principle 1) He states that the people of each area should benefit as well as the people of the region. Please note that he distinguishes between the area and the region.

Principle 2) The development should take into account the rights and interests of the state and people of the area. And that the State should take THE LEADERSHIP of formulating the program.

Principle 3) He represents that the BPA's position is that the program should be for multiple purposes.

Principle 4) He states that the most important principle is that the past uses, superior uses, those uses with the greatest benefit to the AREA must be protected.

Principle 5) In his next principle he represents that arriving at the priority of the rights is necessary for their protection. The inclusion of the Idaho rights as enumerated in Id code 67-4304 and 67-4305 as purposes and functions of the dam and recognition of Idaho's 1927 license certificate for the water rights is what was intended to protect them.

You State below that these comments were considered by those parties to this agreement.

Please consider this a formal FOIA request.

1. Please forward any documents that explain for example how BPA, the COE and the Bureau of Reclamation

considered Mr. Raver's sworn testimony and how it applies to the MOA?

2) Please send me a copy of the request (to work together) that they made that you are responding to.

3) The protocol and/or Federal Statutes that govern a request by a Foreign Nation to alter operation of a State/Federal facility.

4) The takings analysis by the COE that is required by Executive Order 12630 for this Governmental action.

Thanks rs