

## **Cibola Valley Irrigation & Drainage District**

Cibola Valley Irrigation & Drainage District  
Route 2, Box 2  
Cibola, AZ 85328-9700  
Attn: Michael Mullion, President

February 23, 2026

**Re: Request for Analysis of Concrete and Continuing Impacts of Harm Caused to Cibola Valley Irrigation and Drainage District from Activities Contemplated by the United States Bureau of Reclamation in “Draft Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead” (2026-EIS)**

To United States Bureau of Reclamation Acting Regional Director Genevieve Johnson and Deputy Regional Director Christi Davis-Kernan,  
via email to: [crbpost2026@usbr.gov](mailto:crbpost2026@usbr.gov)

Cibola Valley Irrigation and Drainage District (CVIDD) understands the difficult task ahead of the United States Bureau of Reclamation (USBR) in completing a 2026-EIS and a new Plan of Operation (Post-2026 Plan). However, CVIDD must bring to light a concrete harm of actual damage that has been caused by the current System Conservation Implementation Agreement (SCIA) and per the published draft 2026-EIS will become a permanent harm increased in severity in all alternatives presented.

### **Summary of Concrete Harm Caused by SCIA and Draft 2026-EIS Alternatives**

**CVIDD diverts for some of the earliest water rights in Arizona on the Colorado River, with state-based rights dating from the late-1800s to early 1900s. Yet lower flows and USBR’s recent operations of the Colorado River, including the SCIA, have caused damage to CVIDD’s intake delivery infrastructure.**

**CVIDD is bringing this critical information to the USBR’s attention and providing possible mitigation options for USBR’s consideration and support.**

Since CVIDD was formed in the 1950s, CVIDD has a diversion structure that pulls water through a system of pumps placed directly into the Colorado River (See Exhibit A). The functioning of this system is reliant on a sufficient flow of water in the Colorado River. Thus, regardless of the reason for lessened flow, including SCIA, the reduction of flows at the CVIDD diversion point creates concrete harms to CVIDD. These harms include, but are not limited to:

- Destruction of pumps through pulling air, sand, and other debris.

- Pulling of sand and other material into the conveyance infrastructure of CVIDD (ditches and canals). Exhibit B shows the impact to CVIDD ditches near the intake system.
- Inability to meet crop demands due to low river flows. Only because of CVIDD's participation in the current SCIA has serious crop damage been avoided. Both CVIDD lands and the largest contract holder it also services (Hopi Tribe) are participating in the current SCIA, which has allowed CVIDD pumps to be run at volumes that have not caused total failure of the intake system.
- One day of historical demand from spring to fall would lead to catastrophic failure of the intake system which would cause the following:
  - All pumps would sustain damage from the air, sand and other debris entering the intake system leaving them inoperable.
  - Crops could not be irrigated until pumps repaired, which is a multi-month process for one pump, but this would include repair/replacement of all 4 pumps.
  - Total loss of all crops currently planted would occur.
  - Even if the pumps were repaired, the result is temporary. The intake of air, sand and other debris would repeat itself, damaging the pumps again. This result is infeasible and would mean that no crops could be grown and harvested from the Cibola Valley, which has some of the earliest water rights filed in Arizona on the Colorado River.

## **2026-EIS Alternatives Analysis**

CVIDD understands the reality of all historical deliveries being made south of CVIDD's diversion point may not be practical during times of shortages. However, if the status quo was maintained (No Action Alternative) and the senior priorities 1-3 south of Cibola were to continue using water as done in the past, the concrete harms outlined above would not occur. The only way the concrete harms materialize is if USBR takes any action that would cause, allow, incentivize, or otherwise lessen flows south of CVIDD's diversion, this list includes but is not limited to:

- Cutting water out of priority (Enhanced Coordination Alternative)
- Continuation of Intentionally Created Surplus (ICS)
- New or expanded ICS (or other storage mechanism),
- Creating an incentive or pathway for voluntary conservation of water that leads to high priority water users south of CVIDD (New Conservation) foregoing deliveries, which could include new/expanded ICS.

To emphasize again, if the status quo was maintained these damages would not occur because the amount of flow that would continue past CVIDD's diversion point would be sufficient to run CVIDD's system which has functioned since the 1950s.

New Conservation is a practical reality and is supported by CVIDD. However, CVIDD feels that any parties participating must address concrete harms caused to CVIDD and likely others. In the 2026-EIS, and all subsequent agreements that cause less water to

flow in any stretch of the river, USBR must quantify the damage to others and set up mitigation measures, which would include monies needed to indemnify those harmed. CVIDD is willing to participate in a compensation structure to the extent it participates in voluntary conservation programs in the future for which it is compensated.

### **CVIDD Demand in 2026-EIS**

USBR does not address at all the real and concrete harm that CVIDD will bear in all alternatives, except the No Action Alternative. Therefore, USBR must:

- Outreach to all contract holders including CVIDD to educate and quantify the real concrete harms these alternatives can create. The selective outreach outlined in the 2026-EIS document is insufficient and arbitrary. All contract holders have the same rights and should be treated equally.
- Work with CVIDD and others to identify how their respective damages can be mitigated. CVIDD's proposal is listed below.

### **CVIDD Proposal**

Due to CVIDD's experience under the current SCIA, it would like to propose working with USBR to establish the following mitigation measures:

- Design of well system to replace syphons that allow CVIDD to deliver water as it has for over 70 years.
- Design any needed conveyance upgrades to current CVIDD delivery ditches and other needed changes in infrastructure necessary to deliver water as it has for over 70 years.

Landowners in CVIDD have been and will continue to be part of solutions to difficult issues involving the Colorado River. We look forward to hearing from you and working to find a fair and equitable solution that addresses the harms CVIDD will face from proposed actions in the 2026-EIS alternatives.

Thank you,



Michael Mullion  
President Cibola Valley Irrigation and Drainage District

Copy to:  
Lee Storey via email [lee@tsllawgroup.com](mailto:lee@tsllawgroup.com)

EXHIBIT A

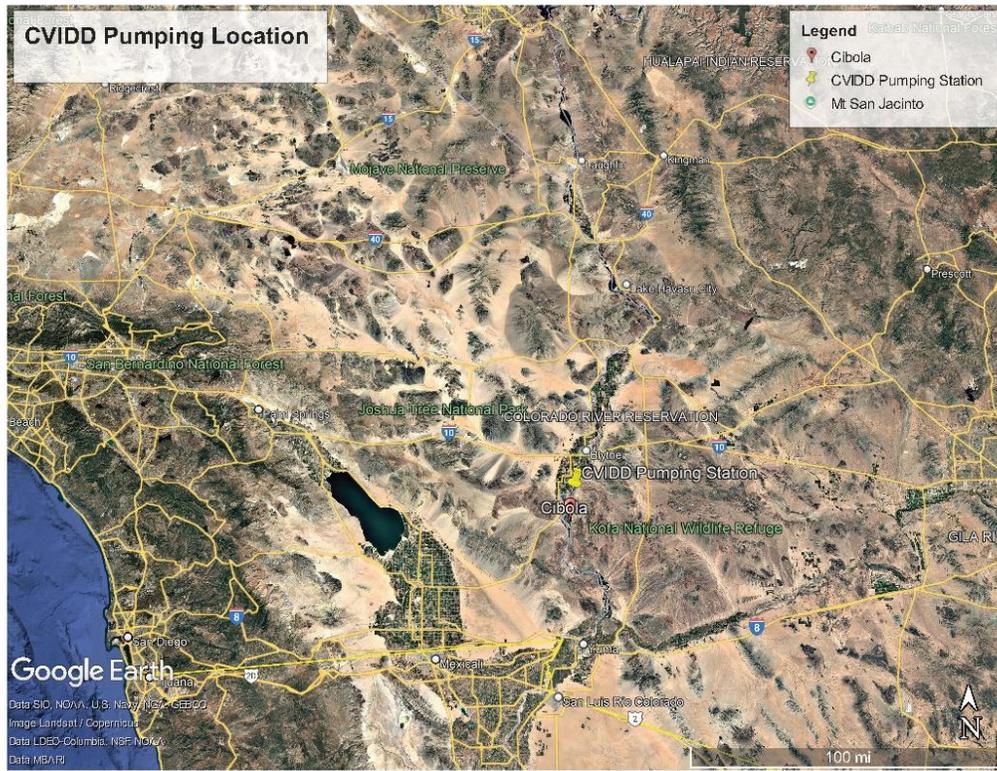


Exhibit B

These photos were taken on January 13, 2026, to show the amount of debris pulled through the CVIDD pumps. January is low water demand time of year in general, but also CVIDD and the Hopi Tribe are both participating in the SCIA.

