

BCOO-4226
WTR-4.03

MAR 09 2009

CERTIFIED – RETURN RECEIPT REQUESTED

Mr. Robert Dunn
Gila Monster Farms
3720 South Avenue 17 E
Yuma, AZ 85365

Subject: Approval of Calendar Year 2009 Diversion for Gila Monster Farms (Farm)

Dear Mr. Dunn:

In accordance with Title 43, Code of Federal Regulations Part 417, this letter informs the Farm of the determination of the Bureau of Reclamation regarding the proposed diversion and beneficial use of Colorado River water during calendar year 2009 by the Farm.

Under the Farm's contract with the United States for delivery of Colorado River water (Contract No. 6-07-30-W0337), the Farm is entitled to divert up to:

- (1) 780 acre-feet of first priority Colorado River water-Present Perfected Right
- (2) 6,285 acre-feet of third priority Colorado River water
- (3) 1,435 acre-feet of fourth priority Colorado River water
- (4) 656 acre-feet of fifth priority unused Arizona entitlement

The Farm overran its entitlement in 2007 by 905 acre-feet. Based on the elevation of Lake Mead on January 1, 2007, the Farm's inadvertent overrun is subject to a 3-year payback term beginning in calendar year 2009. Subsequently, the Farm's 2009 diversion approval is 302 acre-feet less than its annual entitlement of 9,156 acre-feet.

Based upon review of factors relating to the estimate of diversions required by the Farm, Reclamation hereby approves the diversion of up to 8,854 acre-feet of Colorado River water for use on the Farm's deeded land for 2009.

Reclamation will monitor and project diversions and consumptive use of Colorado River water during calendar year 2009 in an effort to ensure the entitlement of each authorized user is not exceeded. Beginning in February 2009, these projections are available to water users on a daily basis on Reclamation's web site: www.usbr.gov/lc/region/g4000/hourly/forecast09.pdf. It is expected that Arizona entitlement holders will use this information to adjust diversions to remain within approved annual quantities.

Thank you for the submittal of the Farm's diversion estimate for 2009. If you have questions, please contact Ms. Ruth Thayer at 702-293-8426.

Sincerely,

LORRI GRAY-LEE

Lorri Gray-Lee
Regional Director

cc: Mr. Herb Guenther
Director
Arizona Department of
Water Resources
3550 North Central Avenue
Phoenix, AZ 85012-2105

Mr. George M. Caan
Executive Director
Colorado River Commission of
Nevada
555 East Washington Avenue, Suite 3100
Las Vegas, NV 89101-1065

Mr. Gerald Zimmerman
Executive Director
Colorado River Board of
California
770 Fairmont Avenue, Suite 100
Glendale, CA 91203-1035

bc: Area Manager, Yuma, AZ
Attention: YAO-1000
Area Manager, Boulder City, NV
Attention: BCOO-4200, BCOO-4222, BCOO-4600, BCOO-4623, BCOO-4233

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