

LC-4212
WTR-4.03

DEC 29 2009

CERTIFIED – RETURN RECEIPT REQUESTED

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

Subject: Approval of Calendar Year 2010 Diversion for the State of Nevada (State)

Dear Mr. Caan:

In accordance with Title 43, Code of Federal Regulations Part 417, this letter provides the State with the Bureau of Reclamation's determination regarding the State's proposed diversion and beneficial use of Colorado River water during calendar year 2010.

The State is entitled to divert a quantity of Colorado River water sufficient to satisfy a consumptive use of 300,000 acre-feet; plus any surplus water determined to be available by the Secretary of the Interior. Nevada's diversion right is shared between (1) entitlement holders whose right to divert and consume Colorado River water existed prior to the formation of the Southern Nevada Water Authority (SNWA) in 1991, and (2) SNWA and its purveyor members in accordance with the entitlements established in the SNWA contract and its subcontracts with purveyor members.

The State has indicated its intention to consume its entire 300,000 acre-feet apportionment as well as 39,900 acre-feet of Intentionally Created Surplus (ICS) in 2010. Reclamation has received SNWA's Tributary Conservation and Imported ICS plan for Calendar year 2010. The approved 2010 diversion contained in this letter does not include delivery of ICS. The State's 2010 approval will be amended to include the amount of ICS to be created and delivered upon Reclamation's approval of SNWA's ICS plan for calendar year 2010.

Based upon the review of factors related to the diversion estimate provided by the State, Reclamation hereby approves the diversion of up to 520,000 acre-feet of Colorado River water for use by the State's water entitlement holders for 2010. This approval is conditioned on Nevada's total consumptive use not exceeding 300,000 acre-feet for calendar year 2010.

Reclamation will monitor and project diversions and consumptive use of Colorado River water during calendar year 2010 in an effort to ensure that the entitlement of each authorized user is not exceeded. Beginning in February 2010, these projections will be available to water users on a daily basis on Reclamation's web site: www.usbr.gov/lc/region/g4000/hourly/forecast10.pdf.

It is expected that the State's entitlement holders will use this information to adjust diversions to remain within approved annual quantities.

Thank you for the submittal of the State's diversion estimates for 2010. If you have questions, please contact Mr. Paul J. Matuska at 702-293-8164.

Sincerely,

LORRI GRAY-LEE

Lorri Gray-Lee
Regional Director

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

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

Mr. Jeff Theuret
Operations Supervisor
Big Bend Water District
1520 Thomas Edison Drive
Laughlin, NV 89029-1600

Mr. John Korkosz
Planning and Development
Department
City of Las Vegas
731 South Fourth Street
Las Vegas, NV 89101-6706

Mr. Dennis B. Porter, P.E.
Director
Utility Services
City of Henderson
P.O. Box 95050
Henderson, NV 89009-5050

Mr. Dale Melville
Park Engineer
National Park Service
601 Nevada Highway
Boulder City, NV 89005-2426

Commanding Officer
99th CES/CD
6020 Beale Avenue
Nellis Air Force Base, NV 89191-7260

Mr. Skip Spilman
Energy and Conservation Specialist
City of Boulder City
P.O. Box 61350
Boulder City, NV 89006-1350

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cc: Continued from previous page.

Mr. Richard Mendes Ph.D.
General Manager
Clark County Water Reclamation
District
5857 East Flamingo Road
Las Vegas, NV 89122-5507

Mr. David Bereskin, P.E.
Utilities Director
City of North Las Vegas
2829 Fort Sumter Drive
North Las Vegas, NV 89030-5201

Ms. Kay Brothers
Deputy General Manager
Engineering and Operations
Southern Nevada Water Authority
P.O. Box 99956
Las Vegas, NV 89193-9956

Ms. Gail Miller
Quarry Supervisor
PABCO Gypsum
P.O. Box 364329
North Las Vegas, NV 89036-8329

Mr. Mark Paris
President/CEO
Basic Water Company
875 West Warm Springs Road
Henderson, NV 89015-4063

Mr. John Algots
Director, Physical Resources
Fort Mojave Indian Tribe
500 Merriman Avenue
Needles, CA 92363-2299

bc: Regional Director, Boulder City, NV
Attention: LC-2000,
Office Director, Boulder City, NV
Attention: Attention: LC-4200, LC-4233, LC-4600

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